

VOTING ON DEMANDS FOR GRANTS—(con/d.)

DEMAND V—LAND REVENUE—(cont'd.)

PRESIDENT : The House will now resume the discussion of the Budget grant. The House rose last evening when discussing motion No. 261 on the agenda.

Motion No. 261. (cont'd.)

MR. T. P. VELAYUDHAN PILLAI (Tiruvalla III) : Sir, I wish to speak a few words in support of the motion moved by Mr. S. J. Nair. In the first place, it is highly necessary to grant a substantial remission of land tax to mitigate the sufferings of the ryots on account of the economic depression and the fall in the price of agricultural produce. Sir, by the introduction of the Agriculturists Relief Bill, Government have admitted, in unequivocal terms, the enormity of the economic depression and the consequent suffering of the people in general. The actual condition of the people must be an important factor in deciding this question. The total amount of agricultural indebtedness in the State is approximately Rs. 25 crores. This will carry an annual interest of Rs. 300 lakhs at the usual rate of interest. In addition to this, the ryots in the State will have to pay Rs. 36 lakhs in the shape of land revenue in the next year as is estimated in the next year's budget presented to us. Another Rs. 6 lakhs has to be paid by the people of the State in the shape of school fees and college fees. The total of these will come to Rs. 342 lakhs. So, I submit that per mensem we have to pay approximately Rs. 30 lakhs in addition to the principal.

PRESIDENT : How does Government get Rs. 300 lakhs as interest?

MR. T. P. VELAYUDHAN PILLAI (Tiruvalla III) : The total liability as interest that has to be borne by the people of the State will come to this amount.

PRESIDENT : Rs. 300 lakhs is not paid to Government.

MR. T. P. VELAYUDHAN PILLAI (Tiruvalla III) : Only Rs. 36 plus 6 i.e. 42 lakhs of rupees go to Government. That is the reason why I submitted at the outset that the actual condition of the people in general must be taken into consideration in deciding this question. To support that argument I stated this. So it has become highly impossible for the people to bear this heavy burden of tax.

Coming to the proportion or the extent to which the remission will have to be made; whether it should be 50% or something less than that, I submit that the percentage fixed in the motion is perfectly correct and allowable. To substantiate the 50% remission of land tax, I rely on certain orders issued by Government in this matter with regard to the reduction in tax on the rubber lands in the State. In Government orders Nos. 1039/31/Rev., dated 23rd July 1931, and 1620/32/Rev. and 197/34/Rev. Government have ordered the reduction of tax on rubber lands from Rs. 2 to Re. 1. That is exactly 50 per cent. of the tax on rubber lands. So my submission is that the same rule or proportion may be applied to other lands also. It is some years since agriculture has ceased to be a lucrative occupation. With these words, I strongly support the motion.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): I wish to make a few observations in support of the motion before the House. The burden of taxation is too heavy for the ordinary agriculturist of the country. Due to economic depression, agricultural products are selling very low; and even the yield has gone down.

Besides land tax, the agriculturist in the land makes the maximum contribution to the revenues of the State. Over and above land tax, he has to pay tree-tax if his cocoanut tree is to be allowed to be tapped.

MR. R. RAMAN PILLAI (*Kottayam*): Is it the owner of the trees that pays the tapping tax?

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): That is best known to the tapper himself. So far as I am aware, the income to the owner from his cocoanut tree is so much less on account of the tree-tax levied by the Excise Department. In other words, if there had been no tree-tax, the owner will get more for his cocoant tree than what he gets at present. Therefore, ultimately, it is the owner of the tree that is affected by the tapping tax, although actually he may not be paying it.

Further, Sir, if the agriculturist wants to send out his products to other countries for sale, he is called upon to pay a heavy export duty. Even inside the State, if he wants to convey his produce from one place to another, the P. W. D. collects tolls from him. And then, if he goes to a market for the sale of his products, he is asked to pay the market tolls. All these will show that it is the agriculturists that contribute the major portion of the revenues of the State.

Sir, this is very inequitable, especially in these days when the agriculturist is heavily indebted, and when his properties are sold away in court auction in large numbers for grossly inadequate price, for, even the Government are too insistent upon realising from him all his dues with the contractual rate of interest. These are days, Sir, when the properties of the agriculturist are being sold away for a song, for arrears of land revenue. The other day the Land Revenue Commissioner said that he would exert his utmost to collect as much as possible of the arrears of tax. I would appeal to the Land Revenue Commissioner to consider whether, if there was any possibility for the agriculturist to pay the land tax, he would allow his property being sold away in public auction for a song. I know instances in which some acres of land have been sold for less than Rs. 10.

Sir, the attitude of the Government in regard to the agriculturists of the country is very disappointing. Going through the pages of the Budget, I have not been able to find even a single item intended for helping the agriculturist. There is no provision whatsoever which would go directly to help the agriculturist, although huge sums have been allotted for luxuries. Even in the matter of affording transport facilities to the agriculturist, the Government are very very niggardly in allotting funds.

Sir, let us, on the other hand, examine the condition of the people who follow other walks of life. We all know, Sir, that if a person

invests Rs. 1,000 on paddy land, his annual income from such will be only about Rs. 50, while, in industry, or even in money-lending, the same investment would fetch not less than Rs. 120 per annum.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Then, why is it that everybody does not invest his money in industrial concerns or in money-lending?

MR. POTTAYIL S. KRISHNA PANICKAR (*Sherata II*): Temperament, Sir, personal equation. Unfortunately, Sir, agriculture has been the traditional occupation of our people. Trade, industry, money-lending and other walks of life are comparatively of recent growth. In fact, Sir, the moment people found that money-lending was a more paying profession, they took to it so quickly, so that many people have amassed fortunes, have made unreasonably substantial profits, by money-lending.

Then again, while in the case of non-agricultural incomes absolutely no contribution is made to the revenues of the State, when such incomes are below Rs. 2,000 per annum, even the smallest income of the agriculturist is taxed by the Government. I do not think there are many in Travancore whose annual income from land will be Rs. 2,000 or more. I submit, Sir, that this kind of taxation is highly inequitable. In the circumstances, it is only fair that the Government come to the rescue of the agriculturist and grant a remission of at least 50 per cent. of land tax.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I rise to support the motion. Any one acquainted with the proceedings of this House will find that, whenever occasion arises, there is demand from the non-official side for remission of land tax. Any stranger, not knowing the real conditions of the country, may go away with the impression that it has become the fashion of the non-official members of this House to ask for remission whenever opportunities are afforded to them. But, I am sure that everyone, who knows the real conditions in the country, will agree that the Government are very unreasonable in not taking a definite step to redress this grievances of the land-owners once for all.

Sir, in 1108, a motion for the remission of tax was passed by this Assembly, and remission of $12\frac{1}{2}$ per cent of the tax in two Divisions and $8\frac{3}{4}$ per cent. in the Southern Division, was granted by the Government. The same remission continued in the year 1110. Last year, during the Budget Session, a motion was carried by a majority of 55 to 11 for reducing the land tax for the year 1111 by 50 per cent; and the Government reduced the tax on garden lands alone by $12\frac{1}{2}$ per cent. Judging from the attitude of the Government in these years, we think that next year no remission will be granted at all, perhaps because they consider that this has become almost a stale subject.

Sir, land revenue is an inelastic form of revenue. In olden days, Government depended to a very large extent on land revenue; because, when the total revenues of the State stood at Rs. 80 lakhs, even then, the Land Revenue amounted to about Rs. 35 to 40 lakhs. In those days, therefore, land revenue formed a substantial portion of the total revenues of the State. But now, the total revenue has gone up to

[Mr. A. S. Damodaran Asan.]

Rs. 2½ crores, and still land revenue remains at the old level, so that now it forms only a small portion of the total revenues of the State.

Most of us, the representatives of the people, owe our seats here mainly to landed interests. Therefore, we will be failing in our duty if we do not advocate their cause. Sir, tax on the land has become unbearable. It is true, Sir, that the present rate of taxation was fixed at a time when prices were low; but, since that period, the revenues of the State have increased by about Rs. 150 lakhs, during the last 30 years. I submit, Sir, that 90 per cent. of the additional revenue has also come, directly or indirectly, from the agriculturist himself. When the revenues of the State have gone up to such a large extent, and when almost the whole of such revenues comes from the agriculturist, is it, after all, an extravagant or unreasonable demand to ask for remission of 50 per cent. of the land tax which would amount to only Rs. 18 or 19 lakhs out of a total revenue of Rs. 2½ crores? As my learned friend Mr. Parameswara Aiyar—who has had very long experience of the Land Revenue Department—suggested, it is only fair that remission of land revenue is granted until the depression ceases. This might appear to Government to be an extravagant demand. But, to the agriculturists, who form the bulk of the population, this appears to be inadequate as a measure of relief. All the same, if this remission is granted, although it is not adequate, the agriculturist will have the satisfaction that, as a result of the efforts of the people's representatives in this House on which the Government are spending so much money, he has been able to get some relief from his distress.

I may also point out, Sir, that while, during the last 30 years, the total expenditure of the Travancore Government, like its revenues, has increased by about 250 per cent, the expenditure on the Land Revenue Department alone has not proportionately increased during that period.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does the member think that this remission will bring any substantial relief to the ordinary agriculturist?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): It may not afford substantial relief to the agriculturist as defined in the Agricultural Debt Relief Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am referring to the class of agriculturists whom the Honourable Member referred to as forming the bulk of the population in the State.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): To whomsoever it relates, I am sure he will heave a sigh of relief when he finds the Government have been magnanimous enough to remit a portion of land tax.

MR. E. V. KRISHNA PILLAI (*Pattanamittta*): May I know the amount paid by the average agriculturist by way of land tax?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Let it be one rupee or even less. A person who has to pay one rupee will certainly feel glad and relieved to some extent if he is asked to pay only half-a-rupee instead of the one rupee.

On these grounds, I request the Government to solve the problem once for all so that this subject may not be raised here again and again.

MR. R. SAMBASIVA AIYAR (*Kunnatnad I*): Sir, I oppose this motion. It has become usual in every Budget Session to move for the remission of land tax. Of course, we hear the usual argument that, on account of economic depression, prices have gone down and that therefore the tax must be reduced.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Is it the member's opinion that economic depression has ceased?

MR. R. SAMBASIVA AIYAR (*Kunnatnad I*): Sir, when was the present rate of tax fixed?

It was fixed at a time when commodities were selling even at much lower prices than at present.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is it not an argument that has been repeated too often by the Government Benches?

MR. R. SAMBASIVA AIYAR (*Kunnatnad I*): I am repeating it again, Sir, because there is much force in it. Paddy, for instance, is now selling at a much higher price than it was sold at the time the present rate of tax was fixed. Therefore, it is not correct to say that, because the prices of commodities have gone down in recent years on account of economic depression, land tax should be reduced.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): How is the yielding capacity of the lands?

MR. R. SAMBASIVA AIYAR (*Kunnatnad I*): It is the same or even better due to intensive cultivation.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Is it not a fact that, during the last half-a-century, the cost of living of the average man has increased nearly ten-fold?

MR. R. SAMBASIVA AIYAR (*Kunnatnad I*): It has increased; but not ten-fold.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): By how much has it increased, according to the member?

MR. R. SAMBASIVA AIYAR (*Kunnatnad I*): I have not got statistics on the matter. But, Sir, if the cost of living in the country has increased, that is only an argument for revising the settlement and enhancing the taxes. That argument cuts at the root of the proposition that is now before the House.

The next argument advanced in support of the motion is that this remission would afford relief to the agriculturists who form the bulk of the population. Sir, it was a very pertinent, a very relevant question that the Law Member put to Mr. Damodaran Asan, on this matter. Mr. Asan said, Sir, that, when an agriculturist has to pay one rupee in the shape of land tax, if only 8 as. is demanded of him, to that extent he would be relieved and he would feel grateful to the Government.

[Mr. R. Sambasiva Aiyar.]

Sir, as a matter of fact, more than 85% of the people who pay land tax to the Government pay less than Rs. 5 per annum in the shape of land tax. That works out to less than 7 annas a month, so that, if the Government remit 50% of the land tax, the average agriculturist in the country will get relief of $3\frac{1}{2}$ annas a month.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): How much is it, per diem?

MR. R. SAMBASIVA AIYAR (*Kunnatnad I*): Sir, the amount to be remitted by the Government will not suffice even for the agriculturist's *beedi* for a week. Therefore, the argument that the general body of land-holders in the country would be benefited by the remission asked for is foolish, especially when we consider the fact that, by remitting 50% of the land tax, the Government would be losing nearly Rs. 20 lakhs. I submit, Sir, that the general body of land-holders would not be benefited by the proposed remission.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): Has the member any other suggestion in view to afford real and adequate relief to the average agriculturist of the country?

MR. R. SAMBASIVA AIYAR (*Kunnatnad I*): I have; but, unfortunately, this is not the occasion for me to refer to them.

Sir, the motion now before the House is one which should not be accepted by any responsible House.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): If this House accepts this motion, will the Honourable Member consider this House to be irresponsible.

MR. R. SAMBASIVA AIYAR (*Kunnatnad I*): Yes, that is my opinion, Sir.

MR. K. PADMANABHAN (*Chirayinkil I*): Sir, I would like to speak a few words on this motion.

PRESIDENT: In support of it, or opposing it.

MR. K. PADMANABHAN (*Chirayinkil I*): In support of it Sir.

A special feature of the meetings of this Assembly for the past few years has been to seize all available opportunities to move for the reduction of land tax. We have tabled and passed cut motions, adjournment motions and resolutions on this subject, more than once. What does that indicate, Sir? Does it not show that this House has accepted it as its policy that, until the depression is over, the land tax should be reduced? It indicates that, until normal conditions are restored, the country wants a substantial portion of the land tax to be remitted.

Sir, the fact that the economic depression is very acute is readily conceded by the Government also. The Land Revenue Commissioner, who presided over the deliberations of the Debt Redemption Committee, knows fully well that there is acute economic distress in the country. Of course, we expected that provision would be made in the Budget for adequate relief to the people. But, we were sorely disappointed in our expectations. As a protest against the indifferent attitude, on the

part of the Government, towards the dire needs of the agriculturist, I heartily support the motion.

The first argument, that I expect from the Land Revenue Commissioner in opposition to the present motion, is that the remission, asked for would deprive the Government of a substantial portion of the only stable item of their revenue. Sir, I admit that there is some force in that argument. It is estimated that, next year, the receipts under Land Revenue would amount to Rs. 36,08 000. If it is reduced by 50 per cent, as now urged by this motion, Government would lose Rs. 18,04,000; and I admit that that is not a small sum. But, Sir, although we are asking for remission of 50 per cent of the land tax, we would gladly leave it to the discretion of Government to decide as to what should be the reasonable proportion to be remitted.

MR. S. J. NAIR (*Nedumangad*): Is it not possible to recoup the amount to be remitted by dropping the town-planning scheme?

MR. K. PADMANABHAN (*Chirappinkil I*): Certainly, and there are various other methods of recouping the loss. There are various items of expenditure, which have been provided for in the Budget, which can be reduced. There are also various means of increasing the revenue.

Another argument that I anticipate from the Land Revenue Commissioner is that this remission is not going to afford substantial relief to the agriculturist in the country. Sir, that argument cannot stand for a moment. Mr. Asan has already answered that point. Mr. Sambasiva Aiyar argued that more than 80 per cent. of the people who pay land tax, pay only less than Rs. 5 a year, and that therefore the remission asked for would not afford them any substantial relief. Sir, I may inform the House that it is these 80 per cent. that stand in dire need of relief. Any help that we give them would be quite welcome to them.

It may also be argued, on the Government side, that already there are provisions for affording relief to the agriculturist and that there are rules for seasonal remissions and for remissions for failure of crops. Sir, it is a well-known fact that, in spite of these rules, it is very difficult for ryots to get any remission from the department. In order to prove failure of crops, the ryot has to pay a substantial amount to the Proverthicar. Unless he reports in your favour, you will not get any remission; and, even for remission of half-a-rupee, you have to pay him five rupees. There is no use appealing to the Tahsildar, to the Peishkar or even to the Land Revenue Commissioner; because, even the Land Revenue Commissioner refers such petitions to the subordinates of the Department for their report so that, ultimately, it is the Proverthicar that decides the question. If he says remission need not be granted, you will not get it, however strong your case may be. There is therefore no practical use in having these seasonal remissions and remissions for the failure of crops.

On these grounds, I strongly support the motion.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): I beg to oppose the motion. The fundamental defect lies in the fact that the whole land revenue policy in the State is highly inequitable. Sir, Government depend upon Rs. 36 lakhs in the shape of land revenue; and there are $25\frac{1}{2}$ lakhs of acres of land in the country assessed to land revenue. It is a question of simple arithmetic. By assessing at a uniform rate of Rs. $1\frac{1}{2}$ per acre, the Government could get their Rs. 36 lakhs, and there would be some principle and fairness in the method of assessment. Instead of that, what is it that we find? In Nanjinad, out of the 51,000 acres of land, 24,000 odd acres are assessed at the rate of about Rs. 20 per acre per annum. If all the 25 lakhs of acres of land in the whole State had been assessed at that rate, we should be getting annually Rs. 5 crores in the shape of land revenue alone. I would very much like the Land Revenue Commissioner to explain how this inequity came about. Does it mean that the net profit yielded by the lands in Nanjinad has ever been greater than that yielded by the rubber estate or the tea estate or the cocoanut gardens. The average tax for an acre of cocoanut garden land is only Rs. 2-2 as. On the other hand, in Nanjinad it is Rs. 20. Even if the present motion is accepted, we would have to pay at the rate of Rs. 10 per acre; and that itself is much higher than the rate obtaining in the neighbouring British Indian District, Tinnevely, where it is only Rs. 9 per acre. The rate in Nanjinad is unique and unknown anywhere else in India. And Tinnevely is the highest assessed in British India. And, all these years, Government have been realising land tax from us at this rate, so that it is now immaterial to us whether we get any remission next year or not. Even if the motion is accepted, we would have to pay Rs. 10 per acre. How are we going to pay that? Impossible. We, in Nanjinad, are not able to pay a single cash as tax on our lands that is our actual position. Certainly, this is a matter which can be set right only at the next Settlement when it is done. Our difficulties are so great that Rs. 10 per acre is nothing to us, as a measure of relief.

(At this stage the President left the Hall and the Deputy President took the Chair.)

Sir, the Government are still following a system of taxation which was in vogue in the days of Emperor Akbar; can the Government say that an acre of rubber land yields less than an acre of paddy land in Nanjinad?

MR. N. E. VARUGHESE (*Tiruvalla I*): May I know from the member whether it is inclusive of water cess?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): No, Sir, it is exclusive of it. That was an injustice perpetrated by Government long ago. Apart from that, the tax is Rs. 19-8 as. per acre on an average in Nanjinad. Why should the rubber growers and the tea planters pay one rupee and half a rupee per acre? Why should there be a tax of only Rs. $2\frac{1}{2}$ for cocoanut gardens? That shows the whole thing is inequitable. In the face of that, the Government come forward year

after year with their demand for land revenue. I mean that the whole of Nanjinad is being ignored in all these discussions; and unless and until a civilised policy is introduced by the Government, this sort of thing will go on. If I were in charge of the duties of the Land Revenue Commissioner, I will propose a tax of Rs. 2 per acre uniformly throughout the country and get a revenue of 100 lakhs. There will be then no necessity for getting a loan at all. Why should people come and complain now here? I am merely pointing out the injustice that has been perpetrated in Nanjinad.

MR. K. GEORGE (*Land Revenue and Income-tax Commissioner*): Was not the rate of tax in Nanjinad settled in the last Settlement?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Of course, my learned friend wants history. Even from the days of Maha Raja Martanda Varma, the whole country had to be fed by Nanjinad.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Will Nanjinad produce as much as to feed the whole country?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Sir, it would not have produced more than it does now. In the old days, it did. But now it supports the rest of the country by means of the tax it pays. Sir, even during the days of Raja Sir T. Madhava Rao, Nanjinad has been paying Rs. 7½ lakhs, when the total land revenue was only Rs. 14 lakhs, because there has been nobody to voice the grievances of Nanjinad.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is there not Mr. Chidambaram Pillai to voice their grievances?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Sir, it is a voice in the wilderness. My request therefore is that the Land Revenue Commissioner will be so kind as to —

MR. P. C. KURIYAN (*Kottayam I*): May I know whether the member represents the land-holders in Nanjinad?

DEPUTY PRESIDENT: That question need not be answered because every member is presumed to know the constituency of every other member.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): I merely wanted to show what sort of difficulty we are experiencing. In the case of the Kanni crop of 1111, because there was no water in the Kodayar and because the Engineer stated, "You should not cultivate the converted land; if you cultivate it, there would be a failure", we let fallow all the converted lands. But tax is being imposed upon those lands; and for arrears of tax, properties are being sold. It is being done during the last few days. We never cultivated them because the directions from the Government and the Executive Engineer were that we should not cultivate converted lands. In spite of it, our lands are being sold and they are being purchased for a song. To give an instance, 20 cents of land was sold yesterday for Rs. 13. We have been

[Mr. P. Chidambaram Pillai.]

pressing this matter upon the attention of Government and yet no orders have been issued. What is it, Sir, except our fate that we the people of Nanjinad are made to go through all these ordeals? I would request the Land Revenue Commissioner to be charitable to the people of Nanjinad who have been suffering for hundreds of years and at least now to save them from eternal ruin.

MR. K. PADMANABHAN (*Chirayinkil I*): Is the honourable member supporting or opposing the motion?

DEPUTY PRESIDENT: The honourable member has made his speech and is probably of the opinion that, without any further commentary, his position, has appeared from it.

MR. K. PADMANABHAN (*Chirayinkil I*): Sir, he opened his speech by saying that he was opposing the motion and towards the close, it appeared that he supported it.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): The Land Revenue Commissioner remarked on a former occasion that from 1105, including the current year's arrears, there is the huge figure of nearly Rs. 20 lakhs yet to be realised by the Land Revenue Department and that if the current dues were left out of account, even then there will be a balance of nearly Rs. 9 lakhs. That shows that, in spite of the most effective machinery being worked by the Land Revenue Commissioner - and it is one of the most efficient departments run by the State—there is this huge arrears. This shows that the realisation of the land revenue year by year is from a broken, helpless and poor peasantry. Sir, it may be urged by the Land Revenue Commissioner that the reduction of 50 per cent. in the land revenue is a big slice from the State income and that the Government will do not be able to lose this big amount if they are to run the Governmental machinery. That is a very serious problem and we, non-officials, do not want to harass the Government or to make the working of the Government impossible. But, Sir, extraordinary situations require extraordinary remedies. I do not know whether the Travancore Government functions really for the people primarily. If, as a matter of fact, our Government function for the good of the people, if the Government have the real and permanent interest of the masses of the State at heart, they must be prepared, during these days of distress, great economic distress when the majority of the population are suffering, to cut the coat according to the cloth. Sir, we have seen the expenses of Government mounting up like anything in recent years.

DEPUTY PRESIDENT: That is not an argument in favour of the motion. On the other hand, it is an argument against the motion.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): That was only an incidental remark, Sir. During the days of enormous surpluses of Rs. 25 lakhs and Rs. 30 lakhs, the Government despised the word 'economy'. Now it seems that they have grown wiser and they have begun advise the word 'economy' from a distance. Let them disband some of their high-paid officers and let the remaining officials over-strain

a bit to make up for it so that, when days of prosperity arrive, we shall not grudge to pay them more or to reinstate the disbanded officers. Or let them impose upon themselves a voluntary cut and we will be the first to restore it when prosperous days come.

Sir, this remission question is a very serious problem for non-officials as Mr. Asan suggested. We never want to harass Government. We know that it is a practical thing to ask a big remission as that, but representing as we do the landed interest, the most important vested interest of the State, on whom the future prosperity of the State depends, we have to ask for that, because the peasantry, the backbone of the State is in need of substantial relief. Sir, the situation that has come to stay a situation we have been forced to face for the last so many years, a situation over which we have no control, requires large hearted statesmanship, to solve it with due regard for the true and permanent interests of the State, we want a contented peasantry to form the backbone of the State.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, I wish to add a few words in support of the motion. Sir, even at the very outset, I may frankly say that I do not think that this fifty per cent. remission will be an adequate or substantial relief to the vast majority of the tax-payers. I grant that. But because this House is helpless and powerless to grant the substantial relief which is urgently needed, is it an argument to tell us that no relief need be given to the agriculturists? Government, Sir, I am sure, will concede that the lot of the peasant is very hard and that he is in need of relief. That position will not be controverted. If that is accepted, we are bringing forward that which we can do within our limited powers and that which we can do under the circumstances in which we are, this measure of relief. It is not enough to brush it aside by saying that—"It is a very meagre relief. This is very inadequate and so do not resort to this relief". But what are we to do then? I say, Sir, if Government had taken to this problem seriously and adverted themselves to it, if they had adopted far-sighted schemes to combat the evil and if they were able to put the ordinary ryot on his feet, there would not have been any necessity for this palliative which we are trying year by year. I concede, Sir, that it is a very difficult thing for Government to forego this direct source of taxation, or half the amount due on it. Sir, we are not anxious to deprive the Government of its legitimate dues. That is not the question. That will be a misunderstanding of the whole position. Sir, we find ourselves helpless to devise other measures. We want Government to take note of this fact, and I hope that when Rs. 19 lakhs is taken away from the income under direct taxation then at least they will feel that a situation has arisen which demands their serious attention and they will find out a permanent and suitable remedy which will once for all be a real solution to this problem. Until Government advert to some such scheme, we cannot but try these palliatives.

Sir, every patriotic Government has tried to improve the condition of its peasantry. They have made it a point not to consider it as one

[Mr. K. Kunjukrishna Pillai.]

of the *many* problems on which the Government must bestow their attention: but they have rightly considered that the problem of the ryot is *the* problem, the most important problem, and the source from which Government derives its sustenance, that the problem should be solved squarely and they have solved squarely and they have solved it. I need not cite many examples for it. There is the example of Italy and there is also the example of Germany. These civilised countries make it a point to consider the question of the ryot as their first concern and they concentrate their whole attention on it.

MR. S. J. NAIR (*Nedumangad*): What about Russia?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Yes; Russia as well. They concentrate their attention to bring a solution to the problem. So until and unless this Government do that and show that they have done everything possible that they can do to solve the problem of the ryots and until and unless they show that they have reduced expenditure to the barest minimum and that they cannot reduce it further I think this cut on land revenue is a sure and effective reminder to Government of their duty.

I have very great pleasure in supporting the motion in that aspect

Sir, the argument advanced by one friend which had been repeated here *ad nauseam* that during the settlement days the prices of commodities were almost the same as it is now and that therefore there is no need for remission on account of economic depression, needs only to be stated to be repudiated. I feel disinclined to repeat this argument and then controvert it. I hope the Land Revenue Commissioner will not repeat those arguments. Sir, things which have been considered as luxuries at one time have, on account of habit, become necessities so that we cannot afford to be without them. We will find that all these arguments are useless to the present issue. The question is that Government must re-organise the land revenue policy; they must also set about making the agriculturists stand on their feet and make their lot tolerable in this world. Until and unless that is done, this House is justified in asking for this cut. With these words, I support the motion.

MR. A. EASWARA PILLAI (*Kalkulam II*) Sir, I strongly support the motion. In addition to what has been observed by honourable members in support of this motion, I wish to make one or two observations with regard to the water cess that is being collected from the ryots under the Kodayar Irrigation Project. Sir, this is a separate cess intended to meet the funds expended by Government for building the Pachippara Reservoir and the Kodayar Channels. Sir, the people have been paying water-cess at Rs. 7 per acre on converted lands and Re. 1 per acre on the *Ajacut* lands. The money already expended in that direction have now been already realised. It is, therefore, hard to realise that water-cess. The Financial Secretary in his reply on the general discussion of the budget was observing that land revenue in Travancore is in

arrears. Sir, it is because land tax in Travancore is much heavier than in any other part of India. Sir, we are unable to pay the tax. In the shape of the tax, agriculturists are paying much more than the income derived from land. We have to pay college and school fees for our children. We have to pay market tolls, toll-gates and other taxes. It is really hard on the part of Government to impose additional taxes. Hence there is imperative necessity to relieve the agriculturists of the burden of taxation.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): Sir, I heartily support the motion. One of the honourable members, who spoke on this motion this morning, was finding fault with those members who are in sympathy with this motion for reverting to this matter over and over again. The honourable member went to the extent of characterising our attitude as one of annual show. Sir, I will brush aside that remark with the simple observation that, when some people are dealing with certain questions, their vision becomes so blurred that it cannot extend beyond a certain point. Sir, the miserable plight of the agriculturists in this State is not confined to any particular locality. The crushing poverty and the grinding misery of the ryot have more or less become proverbial. So much so we all know that the average agriculturist does not get even a bare income to enable him to keep body and soul together. Yesterday, in the course of the speech of the Land Revenue commissioner on the previous motion, he was telling us that there is no use of granting extensions of time for the payment of tax. That is quite true. Therefore, I urge upon Government, if they give relief to the agriculturists in view of their hard condition, the first relief must be to allow a certain percentage of remission with regard to land tax. In this connection, I have to make a special plea on behalf of the ryots of those rural parts who have been subjected to ravages on account of malaria. Sir, the conditions on account of malaria in my taluk are so well-known that I need not enlarge upon them now.

DEPUTY PRESIDENT: The member's special plea for a particular portion of Travancore will not come under this motion.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): While heartily supporting the motion for a general reduction of tax, I am making a special plea for these poor ryots. In their case Government will only be doing justice by granting them a full remission. With these words, I support the motion.

MR. V. RAMAKRISHNA PANICKER (*Kartikapalli II*): Sir, I support the motion. This question has engaged the attention of this House more than once. We have been making repeated demands for remission of tax. The importunate nature of the demand would prove the dire necessity for the remission. A strong case has been made out by my previous speakers to entitle the tax-payer to a sufficient remission of land-tax. It has been asked by the Law Member whether any substantial relief will be given to the tax-payer by this remission. I must

[Mr. V. Ramakrishna Panicker.]

say that whatever small relief is given to the tax-payer will be a great thing to him. In this connection, I have to refer to a Malayalam proverb, which says “ചിട്ടയിൽവെള്ളം ഏറുമ്പിനു സമുദ്രം.”

A small thing to a rich man is a great thing to a poor man. If a remission to the extent of 50 per cent. is made, it is said that there will be a decrease in Government revenue and the Government of the State cannot be carried on with the amount available after remission. Of course, the suggestion has been made in this House for a general retrenchment of the salaries of the Government employees. But the Government officials are reluctant to such a course being adopted. Of course, we will leave them there. If they are not prepared to make a small sacrifice in this direction, the people themselves have to sacrifice a little. What I suggest is this, I do not think that my suggestion will be approved by all the members of this House; nevertheless I venture to make the suggestion. The works under the P. W. D. are intended to afford amenities to the people of the State. There has been a large reduction in the allotment for the execution of Public Works in the next year's budget. Government think that no danger or evil will accrue on account of the reduction or non-execution of these works. Therefore if the P. W. D. works are suspended for the time being, the money saved will give sufficient facilities for making this remission. With these remarks, I support the motion.

MR. K. MAHOMED (*Always*): Sir, I also support the motion. In doing so, I wish to say that, though Travancore was once considered to be the seat of the Goddess of Prosperity it may now be considered as the seat of the Goddess of Adversity. There is now a great fall in the prices of cocoanut, copra, coir, paddy, etc. The prosperity of the State depends mainly upon the prosperity of the agriculturists. Unless their economic conditions are improved, it is very difficult for the administrative machinery to be carried on properly and efficiently. The main source of income to Government is land revenue. And this has become a burden to the agriculturists, who are undergoing very many difficulties. In North Travancore, they have to depend mainly on nature, to carry on cultivation. Recently, there were two floods which destroyed almost all the crops. This fact has not been brought to the notice of the Land Revenue Commissioner by his subordinates. If this fact is not brought to his notice, he will not be able to take any action in respect of those taluks, the cultivation of which had been destroyed by heavy floods.

As far as the Edavagais are concerned, I wish to bring one point to the notice of the Government. Though the inhabitants of the Edavagais are the subjects of H. H. The Maha Raja, they are at the same time the tenants of the Edavagai chiefs like the Edappalli Chief, the Vanjipuzha Chief and the Poonjar Chief. Sir, although Government give remission of land tax, the inhabitants of these Edavagais do not get the benefit of this remission of tax. The Edavagai authorities will

be collecting land revenue according to their own rates. Unless they are also forced to accept the Government rates of remission, the ryots in these Edavagais will not in any way be benefited. I therefore request the Government to make the Edavagai Chiefs obey the Government orders in the matter of giving remissions of land tax to their tenants. This remission should be made till normal economic conditions are restored. Otherwise the poor ryots will have to undergo considerable difficulties. With these words, I support the motion.

The Assembly adjourned for lunch at 1-1 p. m. and re-assembled after lunch at 2 p. m. with the Deputy President in the Chair.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): I support the motion. This House has spent a considerable time over this vexed question. Year after year, we the non-officials have been demanding for the reduction of tax. The Government have been to some extent sympathetic. At the same time, on account of the ignorance, on the part of the authorities concerned, of the conditions existing in country parts, they say that the situation is not so serious as to require this remission of tax. I submit in this connection that the knowledge of the authorities concerned, especially the Government and the Revenue Commissioner, is based on the reports submitted by the Proverthicars. Sir, in their anxiety to get their places confirmed, and in order to obtain the favour of their superior officers, the Proverthicars will be inclined to make unreal reports. They are forced to do so because of the stringent instructions given to them by the Tahsildars and Peishkars with a view to realise the tax even to the last pie.

MR. K. PADMANABHAN (*Chirayinkil I*): Is it the member's view that the superior officers do not make the local inspections and verify the reports?

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): Not exactly that. The Proverthicars are told to realise the tax to the last pie by the superior officers. What will the poor officers do? They will be forced to give statements which have no relation whatsoever to the real state of affairs existing in country parts. The remission of tax is claimed on the ground of the inability of the people to pay tax. The inability has been occasioned by various causes. The economic depression has not lifted. There have been frequent failures of crops. There are not sufficient irrigational facilities to cultivate the fields. In this connection, I must say that it is the primary duty of the Land Revenue Department to give as much irrigation facilities as possible. It is the Revenue Department who go about the country and demand taxes from the people; and therefore it is their duty to see that all facilities which are necessary for the cultivation are afforded to the ryots. Unless the Government and the Revenue Department look to this work, it is impossible for the tax-payer to cultivate the lands and pay the tax.

In this connection, I will refer to the Remission Rules. When remissions were allowed, the taluks which were wanting in irrigation

[Mr. S. Nilakanta Pillai.]

facilities alone were allowed to enjoy the benefits of these rules. Now almost all the taluks in the State are wanting in irrigation facilities. So, the Remission Rules must be made applicable to all the taluks.

DEPUTY PRESIDENT : Remission rules have only a remote relevancy to the motion.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): There is another motion to discuss that point.

DEPUTY PRESIDENT : Mr. Nilakanta Pillai will proceed to the next point.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): Yes, Sir. It may be urged here that, whatever remission is given, or whatever reduction is made in land tax, it may not be of much use to the poor ordinary peasant. That may be the view of the official member. As a matter of fact, the Government have not allotted even a small sum for giving relief to the agriculturist. They have not made any provision, though it may be a small amount, for relieving the wretched condition of the agriculturists. The Government have no definite proposal to ameliorate the condition of the real peasants. Is it fair for Government then to say that, whatever reduction is made in the land tax, it will not be any use to the peasantry?

DEPUTY PRESIDENT : The Honourable member's time is up.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Sir, I rise to support the motion before the House. This cry for remission of land tax is not a new cry. It has been raised on the floor of this House for some years past and I am sure it will be repeated for some years to come. That indicates that there is something wrong, not temporarily, but something wrong in the system of taxation itself. That seems to me to be the view-point from which the question has to be viewed. It is not a mere question of remission for this year or the next year. It is something that requires a radical change in the system of taxation. I should like to stress this point with some emphasis. It is from that point of view this question has to be tackled and not as a temporary malady calling for a temporary remedy.

My friend Mr. Chidambaram Pillai, who spoke against the motion, I thought, was supporting the motion more warmly than any other member who supported it. I could quite understand the gist of his speech. He brought to the notice of the House prominently that the real trouble was in regard to the incidence of land taxation. He said that the incidence of taxation is falling unevenly on the different classes of agriculturists and on different parts of the country. He wanted that the whole system of land tax should be revised and put on a more equitable basis. I am in agreement with his views. I would also emphasise that the whole policy of land tax should be revised. This question of remission should not be viewed from a narrow point of view. It has to be viewed from a broader point of view. If the conditions of the country demand that the level of taxation should be reduced permanently, it should be so reduced and placed on a more equitable and uniform basis.

It was urged from certain quarters that any relief that might be given by way of remission might not give real relief to the agriculturists. Let me make a suggestion in regard to the granting of remission. Whatever percentage of the land revenue demand may be proposed to be given as remission should be distributed entirely among the poor class of ryots. People who are paying a land tax of say Rs. 20 or so might be given the benefit of full remission. This will give the poorer class of agriculturists substantial relief. With these words, I support the motion.

MR. R. RAMAN PILLAI (*Changanachery cum Peermade II*): Sir, I support the motion. I would have more strongly supported the motion, had it been one for a total remission of the land revenue. Even as it stands at present, I think, I am bound to support the motion. I support it for two reasons. It is the agriculturists who find all the money that comes up into the treasury. The agriculturists are not at present in a position to conduct agricultural operations at the proper time. They are forced to live in rooms of the civil jails or to remain concealed in their own houses. The agricultural operations are, therefore, held up in a majority of cases; and consequently they are unable to find money to be paid as revenue.

Again the officers of our Government are paid out of the result of the labour of poor agriculturists and I daresay that our officers eat the fruit of the labour of the poor agriculturists without adding even a grain of salt. A Bill was recently introduced in this House with a view to help the poor agriculturists. It passed the second reading. The Government have failed to bring it up for third reading as promised. It is now feared to have been shelved at the instance of a few men who assembled in a private house and made a threat to the Government that Travancore will be ruined if the Bill is proceeded with. Those people urged the Government to keep it in closed doors and the officers of the Government are afraid of those inhuman beings. For this reason also, I emphatically support the motion.

The next point I want to urge is that the tax realised by Government is mostly used for making payments to these ungrateful officials. On that score also, I support the motion.

DEPUTY PRESIDENT: The member is using the word ungrateful to officials as a whole?

MR. R. RAMAN PILLAI (*Changanachery cum Peermade II*): If it is unparliamentary, I shall withdraw it.

DEPUTY PRESIDENT: Does he mean the officials generally?

MR. R. RAMAN PILLAI (*Changanachery cum Peermade II*): I refer to the officials who are instrumental in shelving the Bill.

MR. S. THIRAVIAM NADAR (*Agastisvaram*): I also support the motion. There are two objections which were raised. One is that it is usual to bring this topic in every session. My point is, if there is such a demand, it is only natural that the subject comes up for discussion. Only when there is necessity by way of rendering help to the agriculturists we come with a proposition to reduce taxes. Only when there

[Mr. S. Thiraviam Nadar.]

is a necessity, such reduction is called for whether it be in future or for the past years. The argument therefore that this is a subject that comes up in every session of the Assembly is not a valid argument.

The second reason is that this may not be useful for all the agriculturists. I will illustrate the position as to how it could be made use of by every agriculturist. There is a man who gets Rs. 100 per mensem and a man who gets Rs. 1,000 per mensem. The man who gets a lower income is living within his limits and the man who gets a higher pay lives according to his means. Therefore it is only sensible in thinking that the poor man who gets some concession will take it in that light. On this ground also, the argument that it may not be availed of by the poor agriculturists cannot stand.

It is seen that lands are auctioned for default of one rupee or two rupees by way of tax. To a man who is unable to pay this tax, this 50 per cent. remission would help him to save his lands from being auctioned. On this score also, remission of 50 per cent. is a worthy proposition.

In the matter of collection of tax, I find a curious method is adopted in Nanjinad.

Tax for the Kumbom crop of 1111 has already been collected by the Government and now they are coming to collect the tax for the Kanni crop. I do not know whether such a procedure exists anywhere else in the world.

DEPUTY PRESIDENT : Can he say what their object is in doing so, so that the House may understand it?

MR. S. THIRAVIAM NADAR (*Agastisvaran*) : I am just referring to the policy of the Government. The method of collection is also highly objectionable. In the collection of tax, there is what is called the ability of the tax-payer to pay that has to be taken into consideration. That is one of the fundamental principles to be borne in mind in the matter of collection of tax. But such a principle is not at all adhered to by the Government. Places in Nanjanad are taxed at a very high rate. Such a rate does not exist else where in the world. The maximum, as is said, comes to Rs. 20 or so. Agriculturists in Travancore are not able to pay their tax. For these reasons, I support the motion.

MR. M. K. JANARDANA KAMMATH (*Commerce and Industry North*) : സർ, ഞാൻ ഈ ഉപക്ഷേപത്തെ അനുകൂലിക്കുന്നു. ഭൂമിയുടെ കരം നിശ്ചയിച്ചു കാലത്തു കിട്ടിയിരുന്ന വില ഇന്ന് ഭൂമിക്കു കിട്ടുന്നില്ല. രണ്ടാമതു, ഭൂമിയിൽനിന്നും കിട്ടുന്ന വിളവു കൊണ്ടുമാത്രം അന്നു ജനങ്ങൾ ജീവിച്ചിരുന്നു. പരിഷ്കാരം നിമിത്തം ജനങ്ങളുടെ ചിലവു വലിച്ചിരിക്കുന്നതിനാൽ ഇന്ന് അങ്ങിനെ ജീവിക്കുകയെന്നുള്ളതു ദുസ്സാദ്ധ്യമായി തീർന്നിരിക്കുന്നു. അക്കാലത്തു വളഞ്ഞിരിക്കുന്ന സാധനങ്ങൾക്കു കിട്ടുന്ന വില, ഇക്കാലത്തു അത്ര തന്നെ വളഞ്ഞിരുന്നാലും കിട്ടുകയില്ല. ജനങ്ങൾക്കു അവർ അനുഭവിക്കുന്ന ഭൂമിയുടെ കരം നിവർത്തിയുണ്ടെങ്കിൽ കൊടുക്ക

ണ്ട എന്നുള്ള മനഃപൂർവ്വം ഒരിക്കലും ഉണ്ടായിരിക്കുകയില്ല. കരം കൊടുക്കുന്നതിന് ഇന്നത്തെ ജനതക്കു നിവർത്തിയില്ല എന്നുള്ളത് ആഴ്ചത്തോറും പ്രസിദ്ധപ്പെടുത്തുന്ന ഗവണ്മെൻറ് ഗസറ്റുകൊണ്ടും ഇവിടെയിരിക്കുന്ന ഉദ്യോഗസ്ഥന്മാർക്കും ഗവണ്മെൻറിനു തന്നെയും അറിയാവുന്ന ഒരു പരമാർത്ഥമാണ്. ഓരോ ആണ്ടിലും വളരെവളരെ വസ്തുക്കൾ ലേലത്തിൽ വിറ്റുപോകുന്നതായി കാണുന്നു. അതു ജനങ്ങളുടെ നിവർത്തിയില്ലായ്മ കൊണ്ടുണ്ടാകുന്നതാണ്. പത്തു പതിനഞ്ചു കൊല്ലംമുമ്പു ഒരു ഭൂമിയിൽ വേല എടുപ്പിക്കുന്നതിന് ചെലവാക്കുന്ന സംഖ്യയെക്കാൾ വളരെ കൂടുതൽ തുകയാണ് ഇപ്പോൾ ചെലവാകുന്നത്. ആയതും രൂപകരം തീരുവ ഉള്ള രൊളിന് ഒരു ലക്ഷം തേങ്ങ മുൻകാലങ്ങളിൽ കിട്ടിയിരുന്നു എന്നു വിചാരിക്കുക. അന്ന് അതു വിറ്റാൽ കരംകൊടുക്കുന്നതിനും വേലക്കൂലിക്കും ഉള്ള ചെലവുമെല്ലാം കഴിഞ്ഞിട്ടും കുറെ സംഖ്യ മിച്ചം വരുമായിരുന്നു. ഇന്ന് അതിൽനിന്നും കിട്ടുന്ന തേങ്ങ കൂടിയാൽ മുപ്പതിനായിരമോ മുപ്പത്തയ്യായിരമോ ആണ്. ഇതന്നു പഴയവില കിട്ടുന്നുമില്ല. ഈ തേങ്ങ വിറ്റു കിട്ടുന്ന പണം കൊണ്ടു അന്യരുടെ കഴിച്ചിവിനും കരം കൊടുക്കുന്നതിനും അന്യർക്കു സാധിക്കുന്നില്ല. ഇങ്ങനെ യുള്ള ഘട്ടത്തെ അഭിമുഖീകരിച്ചിരിക്കുന്ന ജനങ്ങൾക്കു കരം ഇളവുകൊടുക്കേണ്ടത് അത്യാവശ്യമായ ഒരു കാര്യമാണ്. ഇങ്ങനെ കരമില്ലാത്തവർക്ക് ഗവണ്മെൻറിന് വലിയ നഷ്ടം നേരിടുമെന്നും തൻമൂലം വിഷമം ഉണ്ടാകുമെന്നും എനിക്കറിയാം. മറേറർ പ്രാദേശികമാകട്ടെ ഈ നഷ്ടം പരിഹരിക്കാവുന്നതാണ്. അനാവശ്യമായി ഉദ്യോഗങ്ങൾ സൃഷ്ടിക്കാതിരിക്കുക. ഉള്ള ഉദ്യോഗങ്ങൾക്കു വേണ്ടതായ കൂടുതൽ ശമ്പളം അനുവദിക്കാതിരിക്കുക. ഈ വിഷയങ്ങളിൽ സ്വല്പം ഗവണ്മെൻറിന്റെ ദൃഷ്ടി പതിയുന്നതായാൽ ഈ നഷ്ടം പരിഹരിക്കാൻ കഴിയുമെന്നാണ് എനിക്കു തോന്നുന്നത്. അതുകൊണ്ടു ഞാനും ഈ ഉപക്ഷേപത്തെ അനുകൂലിക്കുന്നു.

MR K. GEORGE (*Land Revenue and Income Tax Commissioner*): Sir, the motion before the House is that 50 per cent. of the land tax for the year 1111 be remitted. This motion has been supported on various grounds, some of which are of a general character and some special. The chief argument put forward in support of this motion is the economic depression and the fall in commodity prices which that depression has brought about. The special reasons that have been urged are that, in several parts of the State, there have been drought and bad season, that there were prevalent various kinds of epidemics and that, due to these reasons, the ryots are not in a position to pay the tax. In regard to the special reasons, it may be stated, at the very outset, that,

[Mr. K. George.]

in regard to the year 1112, the year yet to come, we are not in a position to say whether there will be either drought or pestilence.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Have not the recent floods affected the Kanni crop of 1112?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): That point requires investigation. It may or may not have affected. It is too early to say that the tax for 1112 should be remitted on the plea of drought which may not occur or because of pestilence or epidemics or pests which may or may not occur. My first point thus is that the special grounds would not apply. If these really happen next year, it will be time enough to consider the question of remission.

MR. K. C. KURIAKOSE (*Muvattupuzha II*): Is it not from the fruits of this year that people have to pay tax for the next year?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): No, Sir. The collective instalments are so paid as to enable the cultivators to pay the tax from the year's harvests.

Then I come to the general reason. The general reason is that there is severe economic depression prevalent in the State as throughout the whole world and that there has been serious fall in the price of commodities. I do not deny that statement. But I shall endeavour to show that, in regard to land tax, there are considerations which ought to be taken into account which would prove to the House that the present tax is not oppressive. Sir, the fundamental conception of land tax is that the Crown is the proprietor of the land and the subjects enjoy these lands subject to the rights of the Crown.

MR. S. THIRAVIAM NADAR (*Agastiswaram II*): Is it not an exploded theory?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Not at all. On the contrary, I think the theory that the State should be the owner of the land is gaining prevalence in many parts of the world.

MR. S. J. NAIR (*Nedumangad*): Is not this a new theory?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): No; in India this theory has been in existence for centuries. What does that mean? It means that the Crown or State is entitled to get a share of the proceeds of the land. If that fundamental conception is conceded, then it follows that land tax is fixed not in reference to the ability of a tax-payer to pay but on the ability of the land to bear that tax. A ryot, on account of improvidence or any other reason, may not be able to pay it. But the question to be considered as a whole is whether the land which he enjoys from the State is able to bear the tax imposed on it. The principle that was adopted at the last settlement was that lands were to be classified according to their soil, production, their situation such as nearness to market and other relevant considerations.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Was it carried out?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I believe that it was carried out. Then the Government demand was fixed as follows:—The estimated gross produce per acre for the different classes of land is first determined. Out of the gross produce, one *para* is deducted for seed and another *para* for cultivation expense. After deducting that, one-third was allowed to the cultivator, and out of the remaining two-thirds, 3/5th was taken by the Sircar and 2/5th went to the cultivator. Thus the State got only a small share of the produce of the land. The next step was the conversion of the assessment fixed in kind in terms of money. What was done at the time of the settlement was that, in the taluks of the Trivandrum Division, half the assessment was to be paid in kind and half in money converted at 6 chs. per *para*; and in the Quilon and Kottayam Divisions, the ryots were to pay three-fourths of the assessment at the rate of 6 chs. and the balance in kind. When, subsequently, the portion of the assessment which remained to be paid in kind was also converted into money, a rate of 11 chs. per *para* was applied with the result that, in the Trivandrum Division, the rate was 8½ chs. per *para* and in the other Divisions 7¼ chs. My first point is that the question whether a particular land is able to bear a particular tax was considered by the Settlement Department.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): May I know whether the old land tenures were not further established by the Settlement in Nanjinad?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): As regards Nanjinad, there are certain special features which have to be recognised.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): May I know what those special features are?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): The member says that the assessment in that area is very heavy. It is heavy compared with other parts of Travancore. When land was assessed, 15 *tharams* or rates of assessment were adopted for the whole State.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): What is the average assessment per acre?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Rs. 2-26-2 cash on wet lands.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): May I know the average in Nanjinad?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): In Nanjinad, the average is Rs. 12.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): May I know the average in Agasteeswaram and Tovala?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): It is the same *viz.* Rs. 12 per acre.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): In the case of *Ayacut* wet lands?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): In the case of *Ayacut* wet lands it is the highest. Rs. 17½ or there about for single crop lands and 50 per cent more for double crop lands.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): How does it compare with similar tax in other parts of India?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I have no information. I may, however, mention that, at the time of Settlement, the tax in Nanjinad was reduced. The reduction was about 4 per cent. Even then it may be that the tax is high.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): And is it as a result of the reduction that it came to Rs. 12 per acre?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): It is 4 per cent. reduction on the tax that existed previously.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Is it the average that comes to Rs. 12 after reduction?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Yes.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): What was the average assessment per acre in other taluks?

DEPUTY PRESIDENT: The member has already stated that.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): For the whole State, including the Nanjinad area, the average is Rs. 2-26-2 cash. It might be that the tax was already high. The question whether there was a proper analysis of the lands in Nanjinad is a question which cannot be answered now.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): There was no such assessment at all in Nanjinad.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): There are 15 rates of assessment; and excepting the higher rates in Nanjinad; other rates were also adopted; otherwise there would be no average.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): May I know whether it was given up so far as Nanjinad is concerned?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Nowhere is it stated so. However, we are not now concerned merely with Nanjinad, although in Nanjinad the rates are higher than in other parts of the State. The rates introduced at the time of settlement were lower than those which existed previously. Whether these rates are too high is a matter to be considered carefully at a future settlement.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Is it not six times higher even as it is?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): That is the average, Sir. It may be higher; but that does not prove that those lands are over-assessed. Tax is fixed with reference to the producing capacity of the soil. I am not saying that there is no case for reconsideration of the assessment. The people of Nanjinad have been pressing for a reconsideration of the assessment.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Were they pressing even at the time of Settlement?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I cannot say.

DEPUTY PRESIDENT: After all, that is only a part of the issue.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Yes, Sir; I mentioned that because that was specially emphasised in the discussion. My position therefore is that, at the settlement, what was fixed was only a share of the produce of the lands and the rates fixed at that time were considerably lower than the prices prevailing now.

My friend Mr. Kunjukrishna Pillai said that that argument is advanced *ad nauseum*. But still it is a relevant argument. The settlement fixed the assessment on the basis that certain lands produced a certain quantity of paddy, and in converting the assessment into money a certain rate was fixed for the commutation of the paddy into money.

MR. A. THANU PILLAI (*Trivandrum---Rural*): May I know the total revenue of Government at the time of settlement and the total revenue now?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I do not know. I do not understand the relevancy of the question now.

MR. A. THANU PILLAI (*Trivandrum—Rural*): With regard to relevancy, I can make the member understand.

DEPUTY PRESIDENT: I think Mr. Thanu Pillai need not make any effort to explain because that question is certainly relevant.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I want to understand the meaning of the question because I have to answer it.

MR. A. THANU PILLAI (*Trivandrum—Rural*): The member said that the prevailing prices at the time of settlement were not higher than those obtaining now. I wish to know the total revenues of Government at that time and now, so that I may bring home to the member the tremendous change in the condition of living then and now.

DEPUTY PRESIDENT: Mr. Thanu Pillai's explanation is a surplage. Once Mr. Thanu Pillai puts the question, if the official member can answer, he must answer. No explanation is necessary.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I wanted it just to enable me to answer the question.

DEPUTY PRESIDENT: I shall put it direct. Mr. Thanu Pillai wants to know the total revenue of Travancore at that time and now. That is a simple point.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I do not know. It must have been considerably less.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Does the member realise that conditions of life have tremendously changed since then?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Yes, Sir, the condition of life has changed ; but the ability of those particular lands on which tax was fixed to bear the tax has not changed.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): It was Rs. 60 lakhs at that time.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): My argument is that if the general ability of the ryot to pay his taxes has deteriorated it must be due to other grounds.

DEPUTY PRESIDENT: What Mr. Chidambaram Pillai stated may be useful to the discussion, but he is not in order.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): With the permission of the Chair, I would say it.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Although that argument has been repeated in this House many a time.....

MR. A. THANU PILLAI (*Trivandrum-Rural*): By both sides of the House.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Yes: Although that argument about the prices prevailing at the time of settlement and now has been repeated several times, I am constrained to bring forth that argument again, because I consider that is a very relevant argument.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Does the Land Revenue Commissioner hold that the cost of cultivation is even now two *paras* of paddy per *para* of paddy land?

DEPUTY PRESIDENT: That question is out of order. Mr. Asan's question was "Does the Land Revenue Commissioner hold that....." That question expresses an opinion. If Mr. Asan will put it in another form, I shall allow it.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): In view of the fact that the tax was fixed on a consideration of the cost of cultivation as well, I wish to know from the member whether the cost of cultivation has increased now?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): It might have increased. That is a matter for investigation; and that investigation has to be made at a future settlement. It might have increased slightly; I do not think considerably, because other facilities have been provided to the ryots which they did not get in those days.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): May I know what those other facilities are?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Irrigation facilities.

MR. A. EASWARA PILLAI (*Kalkulam II*): May I know whether separate cess has been levied for that?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): True, but the result is that produce has considerably increased.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): May I know from the member.....

DEPUTY PRESIDENT : The demands of time require that questions shall not be put in such large numbers. Already the member has said that he would go to other topics.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : Sir, the average tax which a cultivator pays on garden land is Chs. 25 13 cash.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Does the member realise that the cultivator now is less able to pay tax than he was at the time of settlement and is it recognised by Government?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : Yes, to some extent ; but that is not because the land is not able to pay the tax, but because of the prevailing depression, his general ability has decreased.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Now may I know whether, according to the position of the Government, that circumstance by itself does not entitle the ryots to a reduction of tax?

DEPUTY PRESIDENT : Question disallowed.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : Then I shall pass on to another aspect.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : May I know the average tax per acre of garden land?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : It ranges from 10 Chs. to 25 Chs. 13 cash per acre.

What I have hitherto endeavoured to show is this. Considering the produce of the land and the prices prevailing, the lands are able still to pay the share which was fixed at the settlement. Individual ryots may no doubt be unable to pay tax ; but the lands themselves are not over-taxed.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : Has the Government reduced tax on rubber cultivated areas?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : Yes, Sir.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : To what extent?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : In the case of those lands cultivated with rubber which were paying Rs. 2, the tax was reduced to Re. 1.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : Is that order still in force?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : Yes, Sir.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : May I know on what basis the order of reduction was made?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : The basis was, as is well known, that rubber practically went out of cultivation. The industry was almost dead until, I believe, the rubber restriction scheme came into operation.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : Is there any increase now?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Recently there was some increase.

It has been said, Sir, that the question whether the benefit which accrues to the ryot is small is not a material question. I consider that it is a very important question that we have to consider in this connection. What is it that the ryot will get by a 50 per cent. reduction of tax? Now, I have repeatedly mentioned in this House that 55 per cent. of ryots of the State pay only a rupee or less. Now the maximum remission that these ryots will get is only half a rupee in the year another 32 per cent. pay below Rs. 5. The maximum benefit they would get is Rs. 2½.

MR. K. R. ELENKATH (*Kalkulam I*): In cases where the sale of land by action has been conducted for arrears, are not the majority affected coming under those who pay less than Rs. 5?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I have not examined that. They may come under both categories.

The benefit which accrues to them out of one year's tax is thus infinitesimal. But what is the loss to the State? Is the benefit commensurate with the loss incurred? The loss is roughly Rs. 19 lakhs.

MR. A. S. DAMODARN ASAN (*Maxelikara*): What is the total number of tax payers who pay land tax?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): It is not a question of number. Is the benefit which accrues by surrendering this large amount commensurate with the loss that the State would incur, particularly at a time when the State can ill-afford to lose that money? Will it really benefit the poor ryot?

I am afraid the benefit to the agriculturist will be very very small indeed.

It has been argued, Sir, that the Government should grant the remission asked for as an act of magnanimity. Sir, I need not emphasise the past acts of Government in this matter; because, they are all very well known to the Honourable Members of this House. I claim that Government have been very magnanimous. Ever since the depression set in, we have been giving remissions in various forms. We have been doing it from the year 1106, when a sum of Rs. 79,715 was remitted.

In 1107 the amount remitted was Rs. 1,16,465.

" 1108 " " Rs. 1,86,615.

" 1109 " " Rs. 3,62,464, and

" 1110 " " Rs. 6,14,575.

Sir, does that exhibit an attitude of indifference, on the part of the Government, towards the distress of the ryot.

MR. P. C. KURIYAN (*Kottayam I*): May I ask whether, in all these years, the remissions were not granted after this House carried motions for the purpose?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I do not think I need answer that question, Sir; it may be or may not be so. I am not quite sure. But, I am sure that there have been at least some years in which remissions were granted without any demand from the House.

Therefore, Sir, I need not emphasise the point that the Government are very sympathetic towards the ryots, in this matter. In the current year also, the total amount got remitted comes to Rs. 3 lakhs and odd. I have not the final figures yet.

MR. S. J. NAIR (*Nedumangad*): May I know the basis for the kind of remission that was granted for the year 1111?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): There was drought epidemic broke out in certain parts of the country. Certainly, such places needed relief by way of remission of land tax, and it was granted to them.

DEPUTY PRESIDENT: Do you require more time, Mr. George?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): A little more time, Sir.

DEPUTY PRESIDENT: Yes.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): As I have already pointed out, Sir, if Rs. 19 lakhs of land revenue are remitted, Government would be landed in serious financial difficulty; and the Land Revenue Department will be really working at a loss. I shall explain how.

If one-half of our total receipts is to be surrendered by way of remissions, we would have a balance about Rs. 19 lakhs. Out of this, we would have to pay Rs. 16 lakhs to Devaswom Department, so that we would have a balance of just Rs. 3 lakhs. Sir, the usual expenditure on account of the Land Revenue Department is about Rs. 10 lakhs. Thus there will be a deficit of about Rs. 7 lakhs. Sir, the Land Revenue Department is considered to be a revenue yielding Department. If this motion were accepted, Government would have to find funds even to keep up the department. Sir, I am explaining this only for purposes of argument.

The case of Nanjinad was specially raised. I may inform the House that remission of 18½ per cent. will be granted in the case of the lands which were left fallow.

MR. S. J. NAIR (*Nedumangad*): On a point of order, Sir. Has the official member exceeded his time?

DEPUTY PRESIDENT: I expect Mr. S. J. Nair as well as other Honourable members of the House, to follow what is going on in the House. The Chair observed that the Land Revenue Commissioner had exceeded his time; but, since he was speaking on behalf of Government, on a very important question, in the exercise of the discretion vested in the Chair he has been allowed more time. I am very sorry that Mr. S. J. Nair is wasting the time of the House by this kind of remarks.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Government have received representations that the whole of the water cess, with respect to the lands which were left fallow on account of the lack of water in the Kodayar Reservoir, should be remitted. The question has been examined and the matter has been placed before the Government. I hope orders will be passed soon.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): In the meantime, our properties will be sold in public auction for arrears of tax.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): There is remedy for that; I do not think the auction sales will be confirmed so soon.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): What is the use of hanging a man, and then deciding that he is innocent?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): The man will not be hanged, in this case, any way; because, as I said, the sales would not be confirmed before orders are received.

DEPUTY PRESIDENT: That was only a simile; you need not answer that, Mr. George.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): How long is it since the matter of the remission of the water cess on the lands that were left fallow, has been pending with the Government?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Just 3 or 4 days; I am sure orders will be passed soon.

MR. S. J. NAIR (*Nedumangad*): Sir, the reply of the member for Government has been most disappointing. (*Laughter.*) Sir, the official side has admitted that there is economic depression and consequent fall in the prices of agricultural produce. So far, the official member has been one with us and he has no quarrel with us. But, with regard to our other reason, viz., that epidemics had broken out in different parts of the year, the official member argued that, the fact that epidemics broke out in some parts of the State during the year 1111 was no argument for granting remission during the year 1112. Sir, my point is that that is the very reason why remission of 50 per cent. must be granted for the coming year. Sir, everybody knows that there was drought in some parts of the country, that there were no seasonal rains and that epidemics broke out in different parts of the country. On account of these causes, the agriculturist has not been able to cultivate his land properly, so that he will not have enough money to pay the tax next year, in Kanni 1112, for instance. He does not, in most cases, expect anything from his land.

Another argument advanced by the Land Revenue Commissioner was that, in Travancore, the tax is not oppressive. Sir, the system of taxation in Travancore is not only oppressive, but it is also antiquated. It is high time that the land tax is abolished and income tax is imposed instead, in respect of income from land also.

DEPUTY PRESIDENT: That is beyond the scope of the present motion.

MR. S. J. NAIR (*Nedumangad*): Sir, the agriculturists of the country were expecting very much from the Government. They thought that the Agricultural Debt Relief Bill would soon be placed on the Statute Book; the Government themselves openly declared that they were very anxious about it. Now, we find that, at the instance of a few, just a handful, of irresponsible pensioned officers and bankers,

the Bill has practically been withheld. On behalf of the Government the Chief Secretary, who is the leader of the House, made an announcement in this open Assembly a few days back that a day would be fixed shortly for the third reading of the Bill.

DEPUTY PRESIDENT : Mr. S. J. Nair is entirely out of order in referring to what took place in this House in connection with a certain Bill.

MR. S. J. NAIR (*Nedumangad*) : Sir, we want to show 'our indignance' and protest in the matter. (*Laughter.*)

MR. A. THANU PILLAI (*Trivandrum—Rural*) : Is it open to a member to use very very original words, Sir? (*Laughter.*)

DEPUTY PRESIDENT : Every man has the liberty to make his own contributions to the vocabulary of a language. (*Laughter.*)

MR. S. J. NAIR (*Nedumangad*) : Sir, the Honourable Member is ignorant of the art of speaking. To continue, Sir, I am sorry the Government have fallen an easy prey to a few retired officials in the State in the matter of the progress of the Debt Relief Bill.

Sir, although the Government would be losing about Rs. 19 lakhs by accepting this motion, there is the statement by the Financial Secretary, at the conclusion of his speech introducing the Budget, that "the general financial condition of our State may therefore be regarded as one of exceptional strength and soundness". In the face of that statement made by the Financial Secretary to Government, I press the motion to a division.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : I have just one word to add, Sir. I may inform the House that general remission on account of economic depression has not been granted anywhere in British India. They allow remission only for drought or for epidemics, where necessary; and in places where there has been resettlement and consequent enhancement of tax, the collection of the additional tax has been temporarily suspended in some case. That is all.

MR. S. J. NAIR (*Nedumangad*) : May I inform the member that we are not anxious to know what has taken place in British India?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : Sir, it may be taken for its worth.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : In the G. O. granting the remission of 50 per cent. of tax on rubber lands, has it not been specifically stated that it was on account of the depression?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : Yes, but it is also stated there why it has been done.

I may also add, Sir, that, in the neighbouring State of Cochin, they are not going to have any remission for the next year.

DEPUTY PRESIDENT : Before I put the motion to the vote of the House, I have to make a statement with regard to one fact, or rather, something between a fact and a principle of law.

It has been stated, on the floor of this House, that the State is the owner of all the lands in the State. That statement has to be corrected. The State has no right over the lands other than Reserve Forests, *tarisu*, *poramboles* and such other lands. We find that Government

[Deputy President.]

themselves pay compensation for the lands which they acquire from private parties, for public purposes: and, besides the price fixed, they also add a *solatium*. There are lands owned by the Crown; there are lands owned by the Government: but other lands are owned only by individuals, families or corporations. Government have only a charge upon these lands for their revenue, and no right of ownership.

As I thought that that information would be useful to the House, before they vote upon the present motion, I have made this statement.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is it open to any member to contest that statement, Sir?

DEPUTY PRESIDENT: The Chair has made that statement in exercise of the power conferred by law that, before putting any motion to the vote of the House, the Chair may make such observations as it deems necessary. The question, whether such statement is contestable or not, does not arise.

The motion was put vote and declared carried.

MR. S. J. NAIR (*Nedumangad*): I demand a poll, Sir.

A poll was taken and the House divided as follows:

AYES—50.

1 Mr. N. Abdur Rahiman Sahib	26 Mr. T. Krishna Pillai
2 „ K. C. Abraham	27 „ K. Kunjukrishna Pillai
3 „ T. K. Alexander	28 „ E. K. Kunjuraman
4 „ V. T. Chacko	29 „ K. M. Kuriakose
5 „ S. Chattanatha Karayalar	30 „ P. C. Kuriyan
6 „ P. Chidambaram Pillai	31 „ K. Madhavan
7 „ A. S. Damodaran Asan	32 „ M. K. Madhavan Pillai
8 „ A. Easwara Pillai (<i>Kalkulam II</i>)	33 „ K. Mahomed
9 „ A. Easwara Pillai (<i>Kottarakara</i>)	34 „ K. A. Narayana Pillai
10 „ K. R. Eleukath	35 „ Pacode A. Narayana Pillai
11 „ Antony George	36 „ G. Nilakantan
12 Miss Hepzibah Gnanasikamony	37 „ S. Nilakanta Pillai
13 Mr. M. Mahomed Haneef	38 „ K. Padmanabhan
14 „ S. J. Nair	39 „ Edavanatt S. Padmanabha Menon
15 „ M. K. Janardana Kamath	40 „ Kainikkara M. Padmanabha Pillai
16 „ T. S. Jayantan Nambootiri	41 Rao Sahib S. Paramesvara Aiyar
17 „ N. John Joseph	42 Mr. V. Ramakrishna Panickar
18 „ J. M. Joseph	43 „ R. Raman Pillai
19 „ T. C. Joseph	44 „ R. Sivaraman Nair
20 „ N. Kesava Panickar	45 „ A. Thanu Pillai
21 „ T. T. Kesavan Sastri	46 „ S. Thiraviam Nadar
22 „ K. M. Krishnan	47 „ P. K. Thomas
23 „ K. P. Krishna Menon	48 „ N. E. Varughese
24 „ Pottayil S. Krishna Panickar	49 „ V. K. Velappan Nair
25 „ N. K. Krishna Pillai	50 „ T. P. Velayudhan Pillai

NOES—11.

- | | |
|------------------------------------|----------------------------|
| 1 Mr. C. V. Chandrasekharan | 7 Mr. Kayalam Paramesvaran |
| 2 „ R. Dhanukoti Pillai | 8 „ R. Pitchu Aiyangar |
| 3 „ K. George | 9 Rao Bahadur A. Renga- |
| 4 Rao Bahadur Dr. N. Kunjan Pillai | swami Aiyar |
| Mr. C. O. Madhavan | 10 Mr. T. C. Thommen |
| 6 „ N. K. Padmanabha Pillai | 11 „ John Whitely Tolson |

NEUTRALS.

Nil.

The motion was declared carried.

Motions Nos. 262 to 295.

The following motions were not made :

MR. S. J. NAIR :

262. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. S. J. NAIR :

263. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. S. J. NAIR :

264. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. S. J. NAIR :

265. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. S. NILAKANTA PILLAI :

266. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. S. NILAKANTA PILLAI :

267. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. A. S. DAMODARAN ASAN :

268. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. S. NILAKANTA PILLAI :

269. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. S. NILAKANTA PILLAI :

270. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. KAINIKKARA M. PADMANABHA PILLAI :

271. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. R. SIVARAMAN NAIR :

272. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. R. SIVARAMAN NAIR :

273. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. R. SIVARAMAN NAIR :

274. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. K. MAHOMED :

275. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. N. K. KRISHNA PILLAI :

276. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. N. K. KRISHNA PILLAI :

277. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. N. K. KRISHNA PILLAI :

278. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. A. EASWARA PILLAI (*Kalkulam II*) :

279. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. A. EASWARA PILLAI (*Kalkulam II*) :

280. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. M. K. MADHAVAN PILLAI :

281. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. M. K. MADHAVAN PILLAI :

282. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. A. EASWARA PILLAI (*Kottarakara*) :

283. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. A. EASWARA PILLAI (*Kottarakara*) :

284. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. K. PADMANABHAN :

285. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. T. P. VELAYUDHAN PILLAI :

286. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. PACODE A. NARAYANA PILLAI :

287. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. PACODE A. NARAYANA PILLAI :

288. To reduce the allotment of Rs. 22,170 for Land Revenue and Income Tax Commissioner by Re. 1.

MR. PUTHUPALLI S. KRISHNA PILLAI :

289. To reduce the allotment of Rs. 24,300 for Assistant Peishkars by Re. 1.

MR. N. E. VARUGHESE :

290. To omit the allotment of Rs. 2,292 for local allowances to Peermade and Devicolam establishments.

MR. S. J. NAIR :

291. To reduce the allotment of Rs. 15,000 for travelling allowances by Re. 1.

MR. S. NILAKANTA PILLAI :

292. To reduce the allotment of Rs. 15,000 for travelling allowances by Re. 1.

MR. S. NILAKANTA PILLAI :

293. To reduce the allotment of Rs. 15,000 for travelling allowances by Re. 1.

MR. V. K. VELAPPAN NAIR :

294. To reduce the allotment of Rs. 15,000 for travelling allowances by Re. 1.

MR. K. M. KRISHNAN :

295. To reduce the allotment of Rs. 15,000 for travelling allowances by Re. 1.

Motion No. 296.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, I beg to move

"To reduce the allotment of Rs. 15,000 for travelling allowances by Re. 1."

My object in making this motion is to criticise certain executive orders of the Quilon Division Peishkar and District Magistrate.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Sir, I rise to a point of order. The object of the motion is apparently to bring to the notice of the House the orders of the District Magistrate; and I wonder whether that could be discussed here, because a certain portion of the budget for the Land Revenue Department is transferred to the Judicial Budget on account of the pay of the District Magistrate.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I will just make a submission. From the pay of the Division Peishkar, one-third is debited and added on to the Administration of Justice.

DEPUTY PRESIDENT: Will the member please refer to the page of the Budget, so that I may have a clear idea?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): At the bottom of page 38, we find the words 'Deduct one-third share of Administration of Justice'; and at page 77, we find the following:— "Add share debitable from I—Land Revenue". As far as judicial orders passed by the District Magistrate, which could be revised by the High Court are concerned, the act of the District Magistrate—

DEPUTY PRESIDENT: At page 38, you find 'Deduct one-third share of etc.' The word used is; of and here the words are 'add share debitable'.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): So with regard to the function of the District Magistrate as a judicial officer over which the High Court has control and over which the High Court has got revisionary powers, the matter should properly come under Administration of Justice. But there are certain functions of the District Magistrate which are not judicial orders and which come under the control of Government. Such functions should come under this demand, because there is no other place where a specific provision is made for the pay of that officer.

DEPUTY PRESIDENT: I wish to ask the Law Member also as to what he has to say.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, the demand is concerned only with the actions of the Division Peishkar as such and not of the District Magistrate. It will be seen from the Budget itself that proposal is made only for Division Peishkars and the Commissioner, Devicolum, and not for any District

[Mr. Kayalam Parameswaran Pillai.]

Magistrates. Therefore we are naturally concerned with the actions of the Division Peishkar only, in whatever capacity he may have done them, as distinct from his actions as District Magistrate. Whether the actions of the District Magistrate are subject to control or revision by the High Court is not the test. The test is, in what capacity the action is taken. If it is taken as a District Magistrate, it must be deemed to come under the Demand for Administration of Justice, wherein provision is made for, for instance, Stationary Magistrates and other Magistrates.

DEPUTY PRESIDENT : Has the Government no authority to revise or otherwise modify any order passed by the District Magistrate ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : If, for instance, he makes any appointment, Government can revise it.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : I wish to make that point clear. No pay is fixed and no item is mentioned for the pay of the District Magistrates. There is only a portion deducted on account of the Administration of Justice. To make the position clear, I may say that, where the District Magistrate issues a prohibitory order against anybody restricting him from making speeches for 15 days, it is left to the Government to extend the period or do whatever they want. It is not the High Court that does it. If there was a provision for the pay of the District Magistrate as such anywhere in the budget, I could have understood the objection to my moving the motion here. All the residuary powers exercised by the Division Peishkar and the District Magistrate other than as a judicial officer, when it will come under Administration of Justice, have to be dealt with under this head. That is what I submit.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, whatever that may be, the member of Government who moves this present Demand is moving it for Land Revenue and is at present concerned only with the Division Peishkars. The District Magistrate may be an officer whose acts this House may take notice of. But the member who has moved this Demand is now concerned only with Land Revenue and therefore only with Division Peishkars.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Sir, the District Magistrate is an officer who draws his pay from Government and whose acts are entitled to be questioned by this House. There is no particular provision anywhere else in the budget for the pay or allowance of the District Magistrate.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : My point is not that. I am not at the question whether this House is competent or not to question the acts of the District Magistrate. My point is that the member of Government who has moved this Demand is concerned only with Land Revenue and therefore only with Division Peishkars, and any motion not bearing on Land Revenue does not arise under this Demand. That is my point.

DEPUTY PRESIDENT : The question is not free from difficulty. Apparently, there are no precedents, for neither Mr. Asan nor the Law Member has referred to any and personally I do not remember any precedent either. So, we have to tackle the question on first principles, taken along with the rules on the subject. The Law Member pointed out that the officer of Government who has come to this House with a Demand for Grant is the Land Revenue Commissioner and that he is concerned only with the Division Peishkars and not with the District Magistrates. I have seen in this very House officers coming here for demands pertaining to departments which they do not administer. All the heads of departments are not members of this House. So, some of the officers who are members of this House have to do it by way of proxy. I think that the circumstance that the Land Revenue Commissioner has come forward to make this Demand does not disentitle this House to consider this question if it may be admitted on other grounds. There is no means of separating the pay of the Division Peishkar from that of the District Magistrate. So far as I am aware, the proportion as between the pay of the Division Peishkar and that of the District Magistrate, which offices are combined in the same person, has not been laid down by any law or by a definite executive order. That the object of the Regulation and the Rules is to give an opportunity to this House to discuss these matters of public interest goes without saying. That cannot be contracted. If, according to ordinary principles of law, two things are blended together in a manner which does not allow of their separation, the interpretation should be in favour of the liberty of discussion. (Mr. S. J. Nair: *Hear hear.*) I therefore hold that executive orders passed by a person who combines in himself the two offices of Division Peishkar and District Magistrate may be referred to and considered in the course of the discussion on this motion. But I may also lay down this in clear and distinct language that no judicial act can be drawn within the arena of discussion.

MR. A. S. DAMODARAN ASAN (Mavelikara): Sir, my object in moving this motion, as I have already stated, is to point out to the House that the travelling allowance of the Division Peishkar is not being properly utilised as the executive head of the Division over which he presides.

As the executive head of the Division over which he presides, he is bound to see that the powers vested in him as District Magistrate to keep the peace of the land and to see that lawful meetings are allowed to be held according to the rules.—

RAO BAHADUR DR. N. KUNJAN PILLAI (Chief Secretary to Government): May I raise a point of order? The motion is to reduce the allotment for travelling allowances by Re. 1. May I know whether this matter has anything to do with the travelling allowance?

DEPUTY PRESIDENT : Let me see what Mr. Asan says. The point raised by the Chief Secretary will have to be considered before I make up my mind. The observation must bear upon that aspect also, Mr. Asan.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): The tours of the Quilon Dewan Peishkar, for which this allotment is made, are not properly conducted so as to utilise such opportunities for enabling orderly meetings being conducted in the District over which he is given jurisdiction.

DEPUTY PRESIDENT: I am not very clear about that.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I will make it clear. The District Magistrate, Quilon, is given travelling allowance in order to enable him to attend to important events that take place in his Division and to see that orderly meetings are allowed to be conducted without leading to a breach of the peace or other disorderly scenes.

DEPUTY PRESIDENT: And at the same time prevent meetings which he thinks ought to be prevented?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Yes. If he finds that a meeting could not be controlled and is likely to affect public interests, it is his duty to prevent them. I may just draw the attention of the House to one illustration.

DEPUTY PRESIDENT: Everything will depend upon that illustration.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): The illustration is to show that the District Magistrate, Quilon, has not been properly exercising these functions and has not justified the drawing of the full travelling allowance which he is entitled to. The State Aided Bank, which is an institution well recognised by the State, the business of which was started at Alleppey, its headquarters, decided to hold a general meeting of the share-holders at Alleppey. Two meetings were fixed; one on the 30th of Edavom and the other on the 7th of the succeeding month. The District Magistrate, on the evening of the 28th or the 29th, issued a prohibitory order saying that, under Section 127 of the Criminal Procedure Code, which enabled him to pass an executive order to prevent meetings in the interests of public peace—

DEPUTY PRESIDENT: I must hold that Mr. Asan is out of order. I pointed out very clearly to him that the admissibility of the motion will depend upon what he states under the grant of travelling allowance. I was very closely listening to his speech. He did not say that the difficulty arose because the District Magistrate did not travel.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I am coming to that.

DEPUTY PRESIDENT: The member's coming to that hereafter is of no use. The motion is out of order.

Motion 297.

The following motion was not moved.

Mr. K. PADMANABHAN.

297. To reduce the allotment of Rs. 15,000 for travelling allowances by Re. 1.

Motion No. 298.

MR. K. PADMANABHAN (*Chirayinkil I*): Sir, I move the following motion:

To reduce the allotment of Rs. 15,000 for travelling allowances by Rs. 1.

Sir, the object of my motion is to bring home to the House that the Pakuthi staff is corrupt to the core and requires thorough overhauling.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, I rise to a point of order. The object of the motion is to show that the Pakuthi staff is corrupt to the core and requires thorough overhauling. This is a motion under "Travelling Allowance of Division Cutcherries." There is a different head relating to Pakuthi Cutcherries coming subsequently. That is the specific head under which this motion should have been moved.

DEPUTY PRESIDENT: I can very well anticipate Mr. Padmanabhan. If the Pakuthi staff is corrupt to the core and requires thorough overhauling it is not the Pakuthi staff that should do it, but the higher officers. Therefore, Mr. Padmanabhan is quite in order.

MR. K. PADMANABHAN (*Chirayinkil I*): Sir, the Proverthikars are given very great powers. A Proverthikar is the head of an administrative unit. Very large powers are vested in that officer. The control now exercised by the superior officers of the Department is not quite sufficient. Due to the lack of proper supervision and regular inspection of Pakuthi Cutcherries by the Division Peishkars and Assistant Peishkars, the whole Pakuthi organisation has become corrupt to the core. The first complaint against the Pakuthi Officers is the misappropriation of Government money. We hear a lot of complaint about various Proverthikars in regard to the misappropriation of Government money. Taxes collected from the poor tax-payer are not being properly brought into the accounts. The tax receipts issued to the owners of land are given without keeping counter-foils. All this is due to lack of supervision by superior officers.

There is inordinate delay in various matters on which the public expect Pakuthi officers to take prompt action. Take for instance, the case in which an epidemic breaks out in a Pakuthi. It is the duty of the Proverthikar to make a timely report. Often we find that the Proverthikar does not go to the relief of the people and does not bring the outbreak to the notice of the authorities concerned. If cholera breaks out in a Pakuthi, the Proverthikar has to report the matter to the Tahsildar and the Medical Officer. He does not do it.

Again, the Proverthikar has to look after the various matters relating to rural needs and the needs of the cultivators. He is expected to give correct reports in regard to the failure of crops. When petitions are given to the Land Revenue Commissioner praying for remission of tax, they are forwarded to the Proverthikar for report. But the

[Mr. K. Padmanabhan.]

Proverthikar sends up a report without conducting proper enquiry, saying that there has been no failure of crops. I am speaking from personal experience. On account of the incessant floods in Chirayinkil, an area of 30,000 acres was devastated; the area contained coconut trees, paddy etc. A monster petition was sent up by the people of the taluk. The petition was passed on to the Taluk Cutcherry and then to some Pakuthi Officer. The report was made that only 30 acres were affected. And one fine morning the petitioners got an endorsement from the Huzur Secretariat that only 30 acres of land were affected and that therefore no remission was needed. This is the sort of report that the Pakuthi Officers make. If anything is to be done, the Proverthikar has to be paid money.

DEPUTY PRESIDENT : The point is that, if higher officers move about frequently, people who are affected can make complaints about the corruption of particular Pakuthi Officers?

MR. K. PADMANABHAN (Chirayinkil I): Yes, Sir.

This is the way in which work is done by the Pakuthi Officers.

Again we find the same complaint in regard to revision of *Patta* and proceedings in regard to that. When a *Patta* is to be transferred because of sale deeds, the transfer is not being done, and no Proverthikar will do it unless he is paid some money. For years together, the *Patta* will not be transferred. What is the result? It often so happens that one man's land is sold for arrears of tax due from another. The land will be sold for arrears of tax, because that man has not paid the tax although in reality that man had already sold the land to another person. Sir, these are all matters which should engage the very serious attention of the Department. The only remedy, as far as I can see, is that the superior officers should make surprise visits of these Pakuthi Cutcheries. At present, the Peishkar and the Assistant Peishkar inspect a Taluk Office and go away. Only once in the way they inspect Pakuthi Cutcheries. There are about 400 Pakuthi Cutcheries; and each Division Peishkar will have one hundred Pakuthi Cutcheries under him on an average. These Officers should make it a point to visit the Pakuthi Cutcheries say at least half-yearly.

With these words, I commend this motion for the acceptance of the House.

MR. K. KUNJUKRISHNA PILLAI (Quilon I): Sir, I rise to oppose the motion. There is a lot of injustice in complaining against these very poorly paid Pakuthi staff. It may be said that they are not doing their work very satisfactorily. It may be conceded. But the various kinds of works with which they are charged are so numerous, in fact they are so many that it is not humanly possible for anybody to do them satisfactorily. With regard to the question of inspection of crops, with regard to the various statistics, with regard to reception of guests that pass their way, in regard to the looking after the convenience of superior

officers who come on tour, for every one of these things, this poorly-paid Pakuthi staff is responsible. No human being will be able to do all these things satisfactorily. Therefore what I wish to suggest is, any amount of touring work; any amount of surprise visits by the superior officers is not going to mend matters unless the Pakuthi staff is properly paid. Unless he is asked to do things which are humanly possible, and it is not possible for any man to do all these things, unless these things are done, the work of the Pakuthi staff is not going to be improved.

Sir, in this connection, in addition to the duties cast on them, ordinarily as a routine business of the Revenue Department, in recent times, I understand they were charged with duties other than those that strictly appertained to them. There was a complaint that the Government issued a circular or issued private orders to collect proxies in connection with the State Aided Bank meeting. They were collecting proxies in connection with the State Aided Bank general meeting. There was very great complaint with regard to that. I had sent in certain interpellations with regard to this matter at that time to elicit information. But none of these questions were answered. The Pakuthi staff are already overworked.

RAO BAHADUR DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): May I contradict that statement, Sir?

DEPUTY PRESIDENT: Yes.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I had sent in some interpellations relating to this matter.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Pakil*): Were they admitted?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Yes.

MR. P. C. KURIYAN (*Kottayam I*): May I ask the member whether asking the Pakuthi staff was not a malpractice?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I cannot say that it is a corrupt practice. If Government ask them to do that work, what else can they do but to obey them? When they are asked to do so, I cannot find fault with them.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Is it impossible for the Government to direct their subordinates to do a malpractice?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I consider that the Government will not do it ordinarily. But I think the Government wanted a change of policy with regard to the State Aided Bank in a particular way; and they may have asked their subordinate officers to collect proxies with a view to achieve a particular object. Such a course may be very necessary according to the likes of Government. We have seen, as a matter of fact, Government taking sides with regard to the questions affecting the State Aided Bank.

DEPUTY PRESIDENT: What has the Proverthikar to do with the State-Aided Bank?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): He was collecting proxies, I understand. That is my complaint. I do not know whether Government can, as a matter of fact, now say that no such thing was done by them.

DEPUTY PRESIDENT: Is it manifestly illegal—

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I was trying to say—

DEPUTY PRESIDENT: Order, order. To say that Government actually directed their subordinate officers to do anything illegal—Is that fair?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): But I submit that I am not saying that Government did anything illegal. Because I understand Government themselves sent their officers as far as Madras to collect proxies and paid travelling allowance even.

DEPUTY PRESIDENT: If that is so, the Honourable member is perfectly right in saying that.

RAO BAHADUR DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I contradict that statement. The Government did not send any officer to collect proxies. Nor did they pay any travelling allowance on that score.

DEPUTY PRESIDENT: Anyhow the Chief Secretary can make an elaborate statement when his turn comes.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): That is my information; again I found at a particular time when this meeting was to be held with regard to the reconstitution of the Bank to which certain suggestion have been made by Government, I understand, the Government Director of the Bank went up to Madras and spent some days there and ran back again to the bank meeting at Alleppey and remained there. I also understand that one retired officer was held up by one of the staff of the Account Office near the Palayam junction and asked to give him his proxy.

DEPUTY PRESIDENT: I would rule out your further speech of this kind. Mr. Kunjukrishna Pillai's reasoning is that, even if the superior officers tour the country, ordinarily corruption cannot be prevented. He says that Government themselves direct their subordinates to do a particular kind of work; that being the view, how can the question of proxies come under this motion?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I explain? Government themselves are burdening these people with ever so many duties which will lead to corruption, which will lead to malpractices. That is the point which I want to emphasise in this connection.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Is it the member's view that duties which were not legitimately theirs were entrusted to the Proverthikars?

DEPUTY PRESIDENT: That is what I also ask.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Duties which do not ordinarily come within the province of these officers and which legitimately did not appertain to the Pakuthi staff, were ordered to be done by the Government. That is my information.

DEPUTY PRESIDENT: The member's time is up. Mr. S. J. Nair will speak now.

MR. S. J. NAIR (*Nedumangad*): Sir, I also oppose the motion. The Pakuthi officers are the poorest subordinate officers in the State. So far as their qualifications are concerned, over and above the general qualification, the Provethikars must pass the Survey Test and Village Test examinations, whereas their salary is too poor. Their salary is only Rs. 18 and 14. Over and above their qualifications, they have to make a cash security of Rs. 500 also. This is the unfortunate state of the Proverthikars, the most responsible and dignified officers in the Pakuthies.

DEPUTY PRESIDENT: In this motion, their qualifications do not arise.

MR. S. J. NAIR (*Nedumangad*): In spite of all their excellent qualifications, they are allowed.-----

MR. P. C. KURIYAN (*Kottayam I*): Have not the Anchal subordinates to furnish security?

MR. S. J. NAIR (*Nedumangad*): That appears to be irrelevant and so I do not propose to answer it.

DEPUTY PRESIDENT: Mr. S. J. Nair need not answer Mr. Kuriyan's irrelevant question.

MR. S. J. NAIR (*Nedumangad*): Same with regard to the Accountants. They must possess all the above-mentioned three sorts of qualifications to secure the post of an Accountant. But the salary of an Accountant is only Rs. 14. The same is the miserable plight of the peons also. The peon gets only Rs. 8 as pay and there is no promotion. These people will have to attend to various functions, not only collection of revenues, but to attend to cholera or malaria or even plague duty. They have also to attend to temple functions as well. Then they have to dance attendance on superior officers and various big-wigs. They have to dance attendance on them and they cannot neglect that duty. Such being the case, they are the over-worked officers in the State. At the same time, they are very poorly paid. What could we expect from these poor and helpless officers? What is the sort of work that could be expected of them? The honourable member Mr. Padmanabhan was saying that they did not attend to a petition which the people of Chirayinkil submitted to Government.

MR. K. PADMANABHAN (*Chirayinkil I*): Sir, I only cited that as an illustration.

MR. S. J. NAIR (*Nedumangad*): To say that they have failed to discharge their duties in certain respect is not correct. They were compelled to do certain duties which were not theirs. After all, they are human beings; and it is high time that Government take up the question of encouraging the Pakuthi officers by raising their salary and status.

DEPUTY PRESIDENT: So the point comes to this that, though there is corruption among the lower officers, because their pay is not sufficient, the member does not want the higher officers to enquire into it?

MR. S. J. NAIR (Nedumangad): When they are asked to discharge a particular duty by Government, it cannot be called as corruption. Their activities are so defined by Government. They have to prepare electoral rolls; and as the honourable member Mr. Kunjukrishna Pillai said, they were even engaged in collecting proxies for the State Aided Bank and all that.

DEPUTY PRESIDENT: All that does not arise.

MR. S. J. NAIR (Nedumangad): I am opposing the points urged by the mover. The mover was saying that the Pakuthi officers are corrupt to the core and that the whole system requires a thorough overhauling. I am only suggesting, if any overhauling is required, how it should be done. It must be in the interest of the Pakuthi officers themselves, if at all any overhauling is made.

MR. K. PADMANABHAN (Chirayinkil I): May I know whether he is supporting me?

DEPUTY PRESIDENT: It is a matter to be seen from his speech.

MR. S. J. NAIR (Nedumangad): In regard to the State Aided Bank affair, the Pakuthi officers, whether at the instance of Government or the Tahsildar or the Peishkar, I do not know at whose instance, but I know these people were vigorously collecting proxies at the instance of some "big" body. We know, as a matter of fact, a few pensioned officers were touring the country at the cost of Government and collecting proxies.

DEPUTY PRESIDENT: This House does not exercise any jurisdiction over the officers who have retired.

MR. S. J. NAIR (Nedumangad): As a matter of fact, I know Government money was wasted in various directions for collecting proxies throughout the State. I know of cases where a particular officer went to Bangalore and other places,

DEPUTY PRESIDENT: Your time is up.

MR. K. M. KURIAKOSE (Muvattupuzha II): I support the motion. It evidently relates to corruption among the Pakuthi officers. Even the two members who opposed the motion seemed to admit that there is corruption. In fact they said that the corruption among the Pakuthi staff is a thing which cannot be avoided on account of their overwhelming duties and their insufficient remuneration. Anyway they have brought to the notice of Government that there is corruption among the Pakuthi staff, although indirectly. Sir, it was urged on a previous occasion that, in the case of corruption, specific instances should be brought to the notice of Government, and then only they could take action. That position is hard and impracticable, because the man who pays the bribe

also will be punished ; and as such, it is difficult to give evidence. When there is a general understanding that there is corruption, is it not material enough for the Government to make an enquiry ?

DEPUTY PRESIDENT : The member may interpret it like that.

MR. K. M. KURIAKOSE (Muvattupuzha II) : The motion also relates to the fact that the Pakuthi staff should be overhauled. It seems to me strange that invariably we see among the Pakuthi staff a set of "Ammavans" as Proverthikars, if I may say so. They are not even conversant with the duties entrusted to them. I do not know how that sort of people came into existence. My experience is that a vast majority of them are people who do not know how to conduct their work properly, I mean the work entrusted to them. The Pakuthi being the lowest unit and basis in the administration of the State and the Provarthikars being invested with various duties enumerated by the Honourable members here, I think the standard of the Pakuthi officer should be raised. They should be well paid officers, if they are not to be corrupt, was one of the arguments put forward by one of the Honourable members. I say they are corrupt officers not only on account of their low pay, but also on account of their low standard.

MR. S. J. NAIR (Nedumangad) : May I contradict that statement ? The Pakuthi officers are not corrupt.

DEPUTY PRESIDENT : Mr. S. J. Nair has denied that statement.

MR. K. M. KURIAKOSE (Muvattupuzha II) : I understood him otherwise, but I am subject to correction. I am of opinion that at least these officers should be graduates. In view of the fact that they are entrusted with very great powers and in order that they may do their work successfully, they must be graduates.

MR. A. THANU PILLAI (Trivandrum-Rural) : Is it the presumption of the member that graduates will be above corruption ? Is it not a fact that they are not above corruption ?

MR. K. M. KURIAKOSE (Muvattupuzha II) : I did not say so, but corruption can be reduced to a large extent by raising the qualification and pay.

MR. S. J. NAIR (Nedumangad) : May I ask the member how many graduates are available to deposit Rs. 500 cash security and accept the Proverthikar's post ?

MR. K. M. KURIAKOSE (Muvattupuzha II) : It is a matter of opinion. If a Pakuthi officer could do it, why not a graduate ? I think graduates are available in plenty during these days.

DEPUTY PRESIDENT : Mr. K. George.

MR. K. GEORGE (Land Revenue and Income Tax Commissioner) : In making this motion for reduction of one rupee out of the allotment of travelling allowance for the Division Cutcherries, the mover, Mr. Padmanabhan, made a very startling assertion that the Pakuthi staff is corrupt to the core and requires overhauling.

[Mr. K. George.]

As the head of the Department and as one who has travelled all over the State and have come across a large number of these subordinate officers, I must emphatically protest against this unmerited indictment. It is easy to say that the whole class of officers is corrupt. If a Proverthikar does a thing it is because he wants money; if he does not do a thing, it is because he asked for money and it was not paid. Now what is the safety for such a man? Sir, I do not deny that there are black sheep among the Proverthikars and Accountants, as among all classes of people.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know the number of cases of misappropriation on the part of the subordinates which have come to the notice of the Commissioner?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Just a few. There are 405 Proverthikars and 4 Revenue Inspectors, and 520 Accountants in the State. Is it anything to surprise us that, out of this large body of men, a small percentage are unsatisfactory people? In all services, you will find that. The number of misappropriations is not so very large as should make us say that the whole staff is corrupt.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know in how many cases the Land Revenue Commissioner had to interfere in the case of sales of the properties in the possession of some people for the arrears of other people?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): That is not corruption.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether there is any particular reason why it should not happen?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Sir, the tax for a particular land may have been paid. But the land might have changed hands and the Pakuthy office might not have been aware of the fact. In that case, there is no record in the office to show as to who enjoys the land. The law requires that the demand notices and attachment notices should be issued to the *pattadar*. It sometimes happens that the notice does not go to the person who is really in possession of the land. That is unfortunate and cannot be helped. That does not mean that the Pakuthy staff does everything in a fraudulent manner. I do not deny that there may be a few who are not quite satisfactory. But to say that the whole Pakuthy staff is corrupt and that to the core, is, to say the least, most undeserved.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether there is corruption at least to some extent?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): That cannot be helped. In all services, there will be a small percentage who may be unsatisfactory.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether the conditions could not be improved if the Peishkars and Tahsildars are asked to tour and inspect the Pakuthy Cutcheries more often?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I was only contending that Mr. Padmanabhan's accusation is unfounded. I do not say that the Peishkars and Tahsildars should not tour and scrutinise more the work of the Pakuthy staff.

Apart from misappropriation, one or two other matters which the Honourable member referred to were delay in submitting epidemic reports, submission of incorrect reports, delays and irregularities in effecting *pokkuvarava* and similar irregularities of the same kind. It is easy to say that the delay is due to corruption. I say it is not a charge that should be laid against these unfortunate class of officers. As regards the better control of the staff, the Pakuthy Cutcherry is inspected more than once by the Taluk Tahsildar.

MR. S. J. NAIR (*Nedumangad*): May I know from the member why he characterised the officers as unfortunate?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): The very fact that Mr. Padmanabhan has said that they are corrupt to the very core has led me to say that, and also because their pay is small. They are really the drudges of the service. In collecting statistics, their services are required.

MR. C. V. CHANDRASEKHARAM (*Ag. Director of Public Instruction*): Is their pay less than that of Vernacular School teachers?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): The pay of the Proverthicar is greater, but the pay of the Accountants is less.

DEPUTY PRESIDENT: The comparison does not arise.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether the Vernacular School teachers work at stated hours with interval while the Pakuthy staff work from morning till evening without any interval?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): That is also a fact. They are the real drudges of the whole service.

DEPUTY PRESIDENT: I have promised the Chief Secretary to give some time to make a statement. But he has got only two or three minutes.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I want only to state that the charges which my friend Mr. Kunjukrishna Pillai has levelled against the Government with regard to the State Aided Bank are absolutely unfounded. One Honourable member has said that Government have issued instructions to the Proverthicars and other subordinate officers to go about and collect proxies. I can assure the House that the Government have not issued instructions, either written or oral.—

MR. S. J. NAIR (*Nedumangad*): May I know—

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RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Sir, let me finish my sentence. Government have not issued instructions, either written or oral, either to the Proverthicars or to any other Government officers.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether the Government has deputed any other class of people at Government cost to collect proxies in connection with the State Aided Bank?

RAO BAHADUR DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I will come to that. Let me repeat that Government have not issued instructions to anybody, either written or oral, to collect proxies. Mr. Kunjukrishna Pillai has also stated that Government have deputed officers at their cost for the purpose of collecting proxies. That also is an incorrect statement. Government have not deputed any body at their cost to collect proxies. Mr. Kunjukrishna Pillai has referred to the Government Director having gone to Madras and claimed T. A. Government did not send the Director to Madras to collect proxies. He might have gone for his private purposes. I can say definitely that the Government did not pay him any T. A. for going to Madras, if he had gone there at all.

DEPUTY PRESIDENT: What is meant by saying Government Director?

RAO BAHADUR DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): He is a Director appointed by the Government, and he represents Government.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether, as a matter of fact, he collected proxies when he went to Madras?

RAO BAHADUR DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government have absolutely no information about it.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know why questions regarding State Aided Bank put by me after having been admitted were not answered subsequently?

DEPUTY PRESIDENT: That does not arise.

MR. S. J. NAIR (*Nedumangad*): What about pensioned officers who have been deputed? May I know whether they have been deputed?

DEPUTY PRESIDENT: That question does not arise.

RAO BAHADUR DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government have not deputed or paid T. A. to any one.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether they have entrusted Mr. V. Subba Aiyar with any amount of money in connection with the General Meeting of the State Aided Bank?

DEPUTY PRESIDENT: When an Honourable member puts a question in seriousness, taking upon himself the responsibility of its consequences, the question is relevant and I permit the Chief Secretary to answer.

RAO BAHADUR DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : No, Sir.

DEPUTY PRESIDENT : The time allotted for this Demand has expired and so all the remaining motions lapse.

Demand No. V—Land Revenue for Rs. 9,40,945 *minus* Re. 1 was put to the vote of the House and passed and the grant was made.

Motions Nos. 299 to 333.

The following motions lapsed on account of the expiry of the time allotted for the demand.

MR. T. T. KESAVAN SASTRI :

299. To reduce the allotment of Rs. 15,000 for travelling allowances by Re. 1.

MR. N. JOHN JOSEPH :

300. To reduce the allotment of Rs. 15,000 for travelling allowances by Rs. 5.

MR. V. RAMAKRISHNA PANICKAR :

301. To reduce the allotment of Rs. 15,000 for travelling allowances by Re. 1.

MR. PUTHUPALLI S. KRISHNA PILLAI :

302. To reduce the allotment of Rs. 1,06,210 for Division Cutocherries by Re. 1.

MR. K. KUNJUKRISHNA PILLAI :

303. To reduce the allotment of Rs. 1,28,383 for Division Cutocherries by Re. 1.

MR. S. NILAKANTA PILLAI :

304. To reduce the allotment of Rs. 64,520 for Tahsildars by Rs. 5.

MR. K. M. KRISHNAN :

305. To reduce the allotment of Rs. 64,520 for Tahsildars by Re. 1.

MR. K. M. KURIAKOSE :

306. To reduce the allotment of Rs. 64,520 for Tahsildars by Re. 1.

MR. N. E. VARUGHESE :

307. To omit the allotment of Rs. 420 for local allowance to Tahsildars, Devicolum and Peermade.

MR. S. THIRAVIAM NADAR :

308. To reduce the allotment of Rs. 420 for local allowances to Tahsildars Devicolum and Peermade by Re. 1.

MR. N. E. VARUGHESE :

309. To reduce the allotment of Rs. 3,251 for local allowances to Devicolum and Peermade establishment by Re. 1.

MR. V. RAMAKRISHNA PANICKER :

310. To reduce the allotment of Rs. 796 for clerks and copyist (Temporary Establishment) by Re. 1.

MR. S. J. NAIR :

311. To reduce the allotment of Rs. 18,500 for travelling allowances by Re. 1.

MR. K. M. KRISHNAN :

312. To reduce the allotment of Rs. 18,500 for travelling allowances by Re. 1.

MR. N. E. VARUGHESE :

313. To reduce the allotment of Rs. 18,500 for travelling allowances by Re. 1.

MR. T. T. KESAVAN SASTRI :

314. To reduce the allotment of Rs. 18,500 for travelling allowances by Re. 1.

MR. N. JOHN JOSEPH :

315. To reduce the allotment of Rs. 18,500 for travelling allowances by Re. 1.

MR. V. RAMAKRISHNA PANICKAR :

316. To reduce the allotment of Rs. 18,500 for travellings allowance by Re. 1.

MR. S. J. NAIR :

317. To reduce the allotment of Rs. 3,30,088 for Taluk Cutcheries by Re. 1.

MR. S. J. NAIR :

318. To reduce the allotment of Rs. 3,31,433 for Taluk Cutcheries by Re. 1.

MR. K. R. ELENKATH :

319. To reduce the allotment of Rs. 3,31,433 for Taluk Cutcheries by Re. 1.

MR. K. M. KRISHNAN :

320. To reduce the allotment of Rs. 1,03,128 for Proverthiears by Re. 1.

MR. S. THIRAVIAM NADAR :

321. To reduce the allotment of Rs. 1,03,128 for Proverthiears by Re. 1.

MR. K. PADMANABHAN :

322. To reduce the allotment of Rs. 3,05,929 for Proverthy Cutcheries by Re. 1.

MR. T. S. JAYANTAN NAMBOOTIRI :

323. To reduce the allotment of Rs. 30,911 for Jennikaram Settlement by Re. 1.

MR. K. M. KURIAKOSE :

324. To reduce the allotment of Rs. 30,911 for Jennikaram Settlement by Re. 1.

MR. S. J. NAIR :

325. To reduce the allotment of Rs. 9,40,945 under Demand V by Re. 1.

MR. S. NILAKANTA PILLAI :

326. To reduce the total allotment of Rs. 9,40,945 under Demand V by Rs. 1.

MR. S. J. NAIR :

327. To reduce the total allotment of Rs. 9,40,945 under Demand V by Re. 1.

MR. S. J. NAIR :

328. To reduce the total allotment of Rs. 9,40,945 under Demand V by Re. 1.

MR. T. P. VELAYUDHAN PILLAI :

329. To reduce the total allotment of Rs. 9,40,945 under Demand V by Re. 1.

MR. T. P. VELAYUDHAN PILLAI :

330. To reduce the total allotment of Rs. 9,40,945 under Demand V by Re. 1.

MR. T. P. VELAYUDHAN PILLAI :

331. To reduce the total allotment of Rs. 9,40,945 under Demand V by Re. 1.

MR. R. RAMAN PILLAI :

332. To reduce the total allotment of Rs. 9,85,463 under Demand V by Rs. 9,40,945.

MR. R. RAMAN PILLAI :

333. To reduce the total allotment of Rs. 9,85,463 under Demand V by Rs. 9,40,945.